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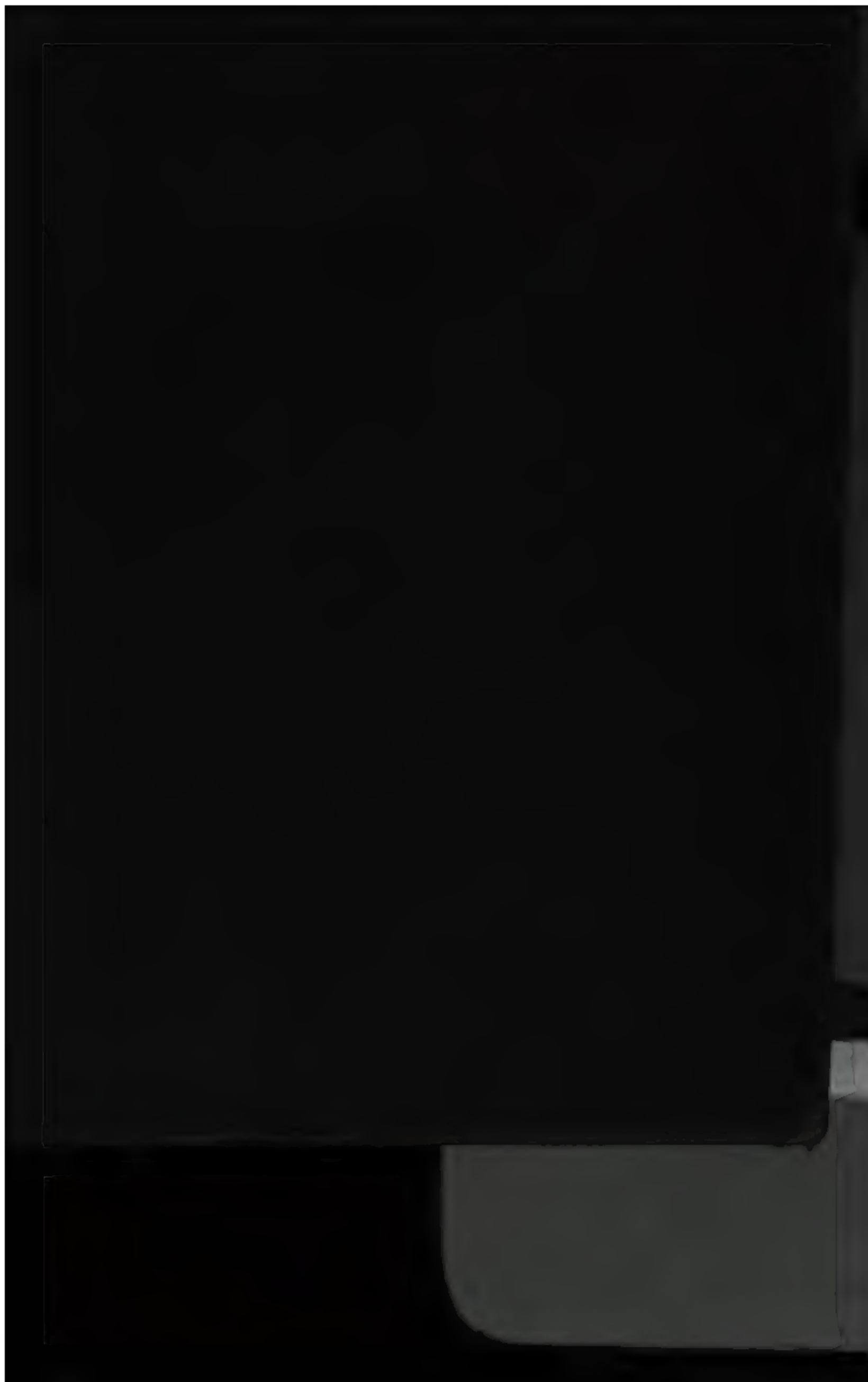
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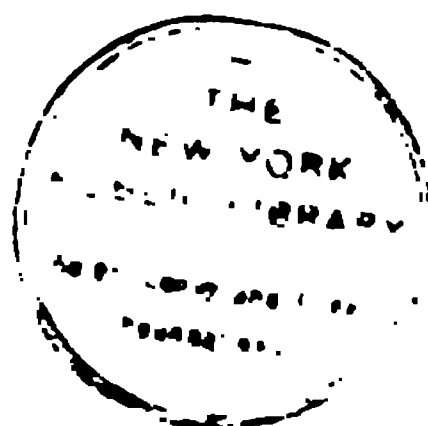
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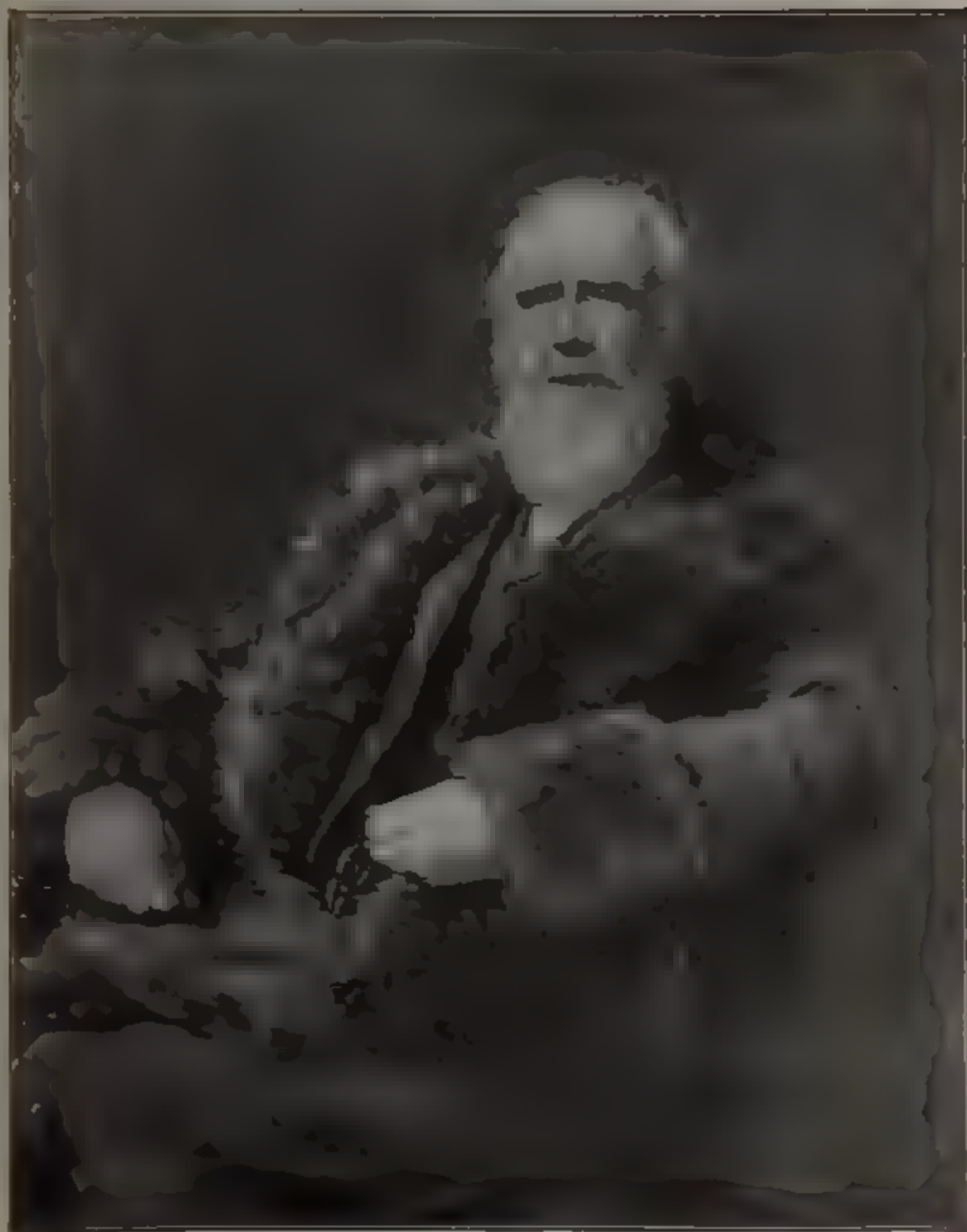






Prince Rupert,

First Governor Hudson's Bay Company, 1670.



Sir Donald A. Smith, LL.D., K.C.M.G., M.P.,
Governor of The Hudson's Bay Company, 1894.



HISTORY

OF

✓
THE NORTH-WEST.

BY

ALEXANDER BEGG,

AUTHOR OF "DOT IT DOWN," "THE CREATION OF MANITOBA," "THE GREAT
CANADIAN NORTH-WEST," ETC., ETC., ETC.

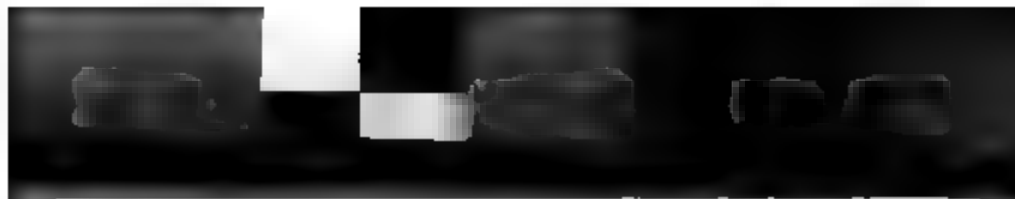
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May 1913*



Entered according to Act of the Parliament of Canada, in the year one thousand eight hundred and ninety-four, by ALEXANDER Bagg, at the Department of Agriculture.

PRINTED AND BOUND BY
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TORONTO.

TO
SIR DONALD A. SMITH, K.C.M.G.,
GOVERNOR OF
THE HUDSON'S BAY COMPANY,
THESE VOLUMES
ARE
DEDICATED
AS A TOKEN OF RESPECT
BY
THE AUTHOR.





DEDICATORY LETTER

TO

SIR DONALD A. SMITH, K.C.M.G.,

Governor of The Hudson's Bay Company.

Etc., Etc., Etc.

SIR,—I well remember the deep anxiety and dread which pervaded all classes in the Red River Settlement prior to your arrival at Fort Garry, in December, 1869, as Special Commissioner from Canada. I also have a very distinct recollection of the feeling of relief experienced by the community when it was learned that you had come with full authority to bring about a settlement of the misunderstanding then existing between the people of the country and the government of the Dominion.

The following pages will show that yours was no easy task, and, but for the skill and judgment displayed by you at that trying time, the hopes raised in our breasts of a speedy ending to our terrible suspense would not have been realized. To you more than anyone else the Dominion is indebted for a peaceful solution of the questions then agitating the minds of the people in the North-West, and the wise and soothing influence exercised by you in bringing together, and uniting the various contending parties in the settlement, is due the fact that bloodshed was avoided, and the horrors of an Indian war averted. Only those who were on the spot and knew the difficulties you had to contend against can realize the herculean

task you were entrusted with, or the great service rendered to Canada at that time.

From the day when, through your advice and co-operation, a convention of all the various conflicting parties was brought about, and a bill of rights framed for presentation to the Dominion Government, the North-West gradually assumed a peaceful attitude, until by the passing of the Manitoba Act all cause for discontent or discord was removed.

The march of civilization in the North-West then began, and to-day, instead of being a vast hunting ground and wilderness, it is the home of thousands of thrifty settlers, and with its great transcontinental railway from ocean to ocean, places Canada in the proud position of being one of the brightest jewels in the British Crown.

I look upon the successful carrying out of your very important mission to the North-West in 1869 and 1870 as the turning point in the history of the Dominion, because from it sprang all the subsequent vast undertakings which to-day place Canada in the foremost rank as one of the most important links in the chain of Imperial unity. And in these undertakings I may say, without detracting from the value of their services, that without your aid and counsel your truly eminent colleagues would have found it difficult if not impossible to accomplish what has been done.

The Dominion as a whole, and the North-West in particular, owe much to you, and in the furtherance of science, art, literature, and in the alleviation of the sufferings of mankind, your hand, as the hand of the benefactor, is seen in many places. For my own part, undeserving though I be, you have been to me always kind and considerate.

DEDICATORY LETTER.

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I wish, then, as an humble token of my great respect for you and the deep gratitude I feel for all your goodness to me and mine, to dedicate to you my work, which I fear is but a poor attempt to chronicle events relating to so great a country.

I remain, Sir,

Your obedient servant,

ALEXANDER BEGG.



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HISTORY OF THE NORTH-WEST.

CHAPTER I.

PRE-COLUMBIAN DISCOVERIES.

A HISTORY of the North-West would be incomplete if it did not contain an account of the early discoveries in North America. Various nations claim the right to be considered as discoverers prior to the time of Columbus, but the historical evidence in most cases is based on documentary proofs of a disputable character, and the details are not so precise as to be convincing. Priority in the discovery of America is claimed by the Basques, the Normans, the Welsh, the Irish, the Scandinavians, and among the races of eastern Asia, the Siberian, Tartar, Chinese, Japanese and Malay.

According to the Icelandic historian, the discovery and settlement of Iceland led to the opening of America to Europe. The distance to the eastern shore of Greenland is only forty-five miles, and it is not surprising to hear that some of the ships when sailing to Iceland, and driven out of their course by storms, caught sight of the coast of Greenland, although it was long after this that Erik the Red landed on its shores. The consistent and natural proof of any occupation of America by the Norsemen, south of Davis Straits, is certainly lacking, but there is beyond this what is perhaps, after all, the

most satisfactory way of solving the problem—a dependence on the geographical and ethnical probabilities of the case. The Norsemen have passed into credible history as the most hardy and venturesome of races. Their colonization of Iceland and Greenland is indisputable, and it is hardly conceivable that they should have stopped short at this point. There was not a long stretch of open sea between Greenland and Labrador, a voyage for which their ships and crews were not unfitted, and it is, therefore not unlikely that some vessels may have been blown westerly out of their course in the same way as Greenland was first discovered, and the mainland coast once found, to follow it to the south would have been the most consistent action on the part of the discoverers. The weight of probability is therefore in favor of the Norseman descent upon the coast of the mainland somewhere to the south of Greenland, but the evidence cannot be classed as well established historical records.

It is more than probable that successive emigrations took place from eastern Asia to the American shores centuries before the Columbian discoveries, and there is hardly a stronger demonstration of such a connection than the physical resemblances of the peoples now living on opposite sides of the Pacific Ocean in the upper latitudes. It is quite conceivable that the great northern current setting east athwart the Pacific should have carried vessels to the shores of California and further north. It is certainly possible that in this way the Chinese or Japanese may have helped populate the western slopes of the American continent.

The probabilities being then in favor of the Pre-Columbian discoveries, it will be well to take a glance at them in chronological order. As far back as 340 B.C. we find it claimed

that Pythias, the Greek philosopher, discovered Iceland, but there seems to be no record or note of any further discovery until the sixth century, when King Arthur is said to have sailed for that northern land. In the Saga of Thorfin Karlsefne, a portion of America, including that part which is now known as North and South Carolina, Georgia, and East Florida, is called "Irland edh Mykla," that is, "Great Ireland," which arose, it is said, from the land being colonized by the Irish, probably in the year A.D. 800.

In the year 795 it is claimed that a number of Irish priests visited Iceland and formed a settlement there, for in 875, when Ingolf, a jarl, of Norway, went there with Norse settlers, they found the Irish in possession. The latter, however, refused to consort with the newcomers, and the result was that the Irish finally abandoned the country to the settlers from Norway. Previous to Ingolf's visit, the celebrated Norse viking Naddod, in 860 discovered Iceland, naming it Snowland, and in 864 he was followed by Gardar, of Swedish extraction, who named the land "Gardar's Holm." In 870 it was visited by two Norsemen, Ingolfr and Leif (Hjoerleifr), by whom it was called Iceland, which name it has retained ever since, and from this time there were successive emigrations of Norse, until, within half a century, a little republic of nearly seventy thousand inhabitants was established. In 876 a sea-rover named Gambiorn, while making for Iceland, was driven in his ship out of his course in a westerly direction and sighted a strange land, but his reported discovery remained unconfirmed for over one hundred years, until "Erik the Red," in 984, sailed for the new land and found it. It appears that Erik was of a lawless character, and having to flee from Norway for killing a man in a brawl, he took

refuge in Iceland, where, on again outraging the laws, he was sent a second time into banishment. It was then that he set sail for the land which Gambiorn had reported, and when he discovered it, he returned to Iceland with the tidings. In the following year Erik sailed again for Greenland with a fleet of thirty-five ships, only fourteen of which, however, reached land, and it was on this visit that he gave the name of "Greenland" to his discovery, in order, it is said, to attract settlers, who would be favorably impressed with so pleasing a name. A flourishing colony of Icelanders and Norsemen was thus established, and maintained its connection with the mother countries for 400 years.

The discovery of the mainland of America, is said to have happened in this way. In 986, "Erik the Red" took up his residence in Greenland, and accompanying him was an Icelandic, named Herjulf. The son of the latter, named Bjarno Herjulfson, was in Norway when his father left Iceland with Erik, and on his return he at once set out for Greenland, but during the voyage, the ship being driven out of its course, he sighted land, which was flat and covered with trees, altogether different from what he expected to see. Bjarno knew that he was not looking upon Greenland, and therefore did not attempt to land, but continued on his voyage, and there is reason to believe, from the course of the winds, the direction of the currents, and other circumstances, that the point first sighted by Bjarno was one degree south of where Boston now stands, and that he afterwards saw the shores of Nova Scotia and Newfoundland. Thus it is claimed that Bjarno Herjulfson, although he did not make a landing, was the first Norseman who beheld any part of the American continent.

It is related that when Leif Erikson, the son of "Erik the

Red," heard the descriptions given by Bjarno of the land he had seen, he resolved to go in search of it. Accordingly he bought Bjarno's ship, and, with a crew of thirty-five men, set sail and found the lands to the south-west of Greenland, which he named Heln, and which are now known as Newfoundland and Nova Scotia. He then proceeded to make further discoveries, and after sailing two days landed at or near where Fall River is, in Massachusetts, which he called Markland, but a German who had accompanied the expedition, having found grapes growing, the country afterwards received the name of Vinland. Leif then returned to Norway, and, finding that King Olaf Tryggvesson had embraced Christianity, he accepted the new faith, and when he was ready to return to Greenland, a priest was assigned to accompany him. In this way it is declared Christianity was introduced into Greenland, and churches were built, the ruins of one of which stand to this day.

In 1002, Thorwald Erikson, the brother of Leif, resolved to make further explorations in the new country of Vinland, and for that purpose set sail from Greenland with an expedition. But, at the end of three years, Thorwald was killed by the natives and buried in Vinland, and in 1831 a skeleton in armor was found near Fall River, Massachusetts, which was thought by some to be his remains. No regular settlement took place in Vinland, however, until the year 1007, when Thorfin Karlsefne, with a party of one hundred and fifty-one men and seven women, landed in the country and remained in it for several years, until hostilities between them and the natives compelled them to abandon their colony. During the residence of those people in Vinland, it is said that a child was borne in 1008 to Thorfin Karlsefne and Gudrid, his wife, and

was named Snowe Thorfinnson, this being the first white child born in America, from whom, it is claimed, Thorwaldsen the Danish sculptor was descended.

There were several expeditions by the Norsemen to Vinland after 1010, notably in 1011 under Freydis, and in 1121, when Bishop Erik Upsi went as a missionary to that country. In 1347, however, the Black Plague, which raged throughout Europe until 1351, and reached even Iceland, Greenland and Vinland, put a stop to further attempts at exploration or colonization on the part of the Norsemen.

So much for those hardy mariners. Now for other nationalities. As a result of the voyages made by them, it is said their fame having reached the ears of the Welsh Prince Madoc, son of Owen Gwynedd, a seafaring man, he resolved to lead a colony to the new western lands, and in 1170 sailed in their direction and succeeded in establishing a settlement in a fertile land, presumably America. He then returned to Wales and fitted out a larger expedition, consisting of ten ships, with which he sailed, but was never heard of again. In support of this account it is claimed that traces of the Welsh tongue appear in the language of some of the American Indian tribes.

The identification of the native Americans with the stock of the lost tribes of Israel was a favorite doctrine with the leading New England divines of early days. William Penn believed in it, and the subject has been frequently discussed pro and con. It is held by certain historians that a crew of Arabs about the eleventh or twelfth century reached land, possibly the Azores, although some are inclined to the theory that they succeeded in landing upon the shores of America. And so one nationality after another claim the right to be considered the first discoverers. According to a book printed in Venice in

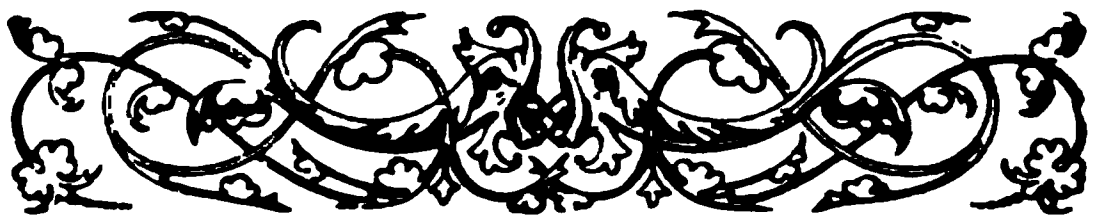
1558, two brothers belonging to that city, by the name of Nicols and Antoine Zeno, while on a voyage were wrecked upon an island in the North Atlantic where they lived for several years, and while there, they fell in with a sailor who gave a wonderful account of a country called Estotiland, and also a region on the mainland called Drogas. The Zeno brothers conveyed this information to Venice where it was afterwards published in book form, and the subject has since caused much discussion and difference of opinion as to its verity. The presence of the Basques on the coasts of North America is often asserted, and it is even said that it was a Basque mariner who, having been on the banks of Newfoundland, gave Columbus some premonitions of the New World. Several Portuguese writers assert that Ioâs Vaz Cortereal, afterwards hereditary governor of the Island of Terseira, discovered a land supposed to be Newfoundland, thirty years before Columbus made his first voyage.

In 1477, Columbus visited Iceland, and it is not improbable that he received information then of the discoveries of Greenland and Vinland, made from 1000 to 1347 by the Norsemen. There is also every reason to believe that information relating to Vinland was in possession of the Vatican as early as 1100, or thereabouts, because in 1112 Pope Paschal II. appointed Erik Upsi Bishop of Iceland, Greenland and Vinland, and, in 1121, Erik Upsi is said to have paid a visit to the latter country. Columbus, doubtless, was able to avail himself of the information possessed by the Vatican, and possibly took advantage of it. Washington Irving says: "When Columbus had formed his theory, it became fixed in his mind with singular firmness. He never spoke in doubt or hesitation, but with as much certainty as if his eyes had already beheld the promised

land." Such a state of mind as thus described could hardly have resulted from mere inspiration, as some claim, but rather from certain information in his possession, which probably he partly obtained during his visit to Iceland in 1477.

Some historians are inclined to repudiate altogether the claims of the Norsemen as discoverers of America, and Bancroft styles them as "mythological in form and obscure in meaning: ancient, yet not contemporary." It is held that the stories of the voyages and privations of the Norsemen: the discoveries they made: the colonies they formed, and the very names and dates given in connection with their early efforts are all the outcome of imagination on the part of the Icelandic historian. But against this, it does not seem improbable that those hardy navigators, having established themselves on Iceland and Greenland, should in the course of their many voyages have sighted and even landed upon the mainland of America, which was not far distant. Washington Irving, in his "Columbus, 1828," dismisses the accounts of the Norsemen discoveries as untrustworthy, but later, under the influence of Rafn and Wheaton, two writers who studied the subject very closely, he modified his views, so as to consider them of possible importance, and finally admitted that he thought the facts to be established to the conviction of most minds. Henry Wheaton, who was United States Minister at Copenhagen, wrote a history of the Northmen, strongly supporting the theory of their discoveries, and Carl Christian Rafn was considered the chief apostle of the Norseman belief. But the opinions of those two writers did not affect Bancroft, who to the last expressed his unbelief in the Norseman discovery of Vinland. He admitted, however, that Scandinavians may have reached the shores of Labrador, although the soil of the

United States had not, he declared, one vestige of their presence. Professor Daniel Wilson, of Toronto, says : " With all reasonable doubts as to the accuracy of details, there is the strongest probability in favor of the authenticity of the American Vinland."



CHAPTER II.

EARLY DISCOVERIES IN NORTH AMERICA.

WHATEVER may be said pro or con in regard to the so-called Pre-Columbian discoveries, it is to the untiring energy, zeal, and perseverance of Christopher Columbus, that the world is indebted for the opening up and settlement of the continent of America by Europeans. Even allowing that he had fore-runners in the work of discovery, and that his expeditions may have been prompted by what had been done by others before his time, it does not in the least dim the glory of the great service he rendered to mankind.

In 1419, the Portuguese discovered Madeira : in 1448, the Azores : in 1449, the Cape de Verde Islands, and in 1486, the Cape of Good Hope, the latter being so named because of their expectation of finding a passage that way to the Indies. It is probable that the fame of these expeditions led Columbus to undertake the finding of a passage by a more northerly and direct route, which resulted in his discovery of America. In 1474 he had some correspondence with Toscanelli, the Italian savant, regarding the discovery of land westward, which at that time had become in the mind of Columbus a well established theory. By reading the ancients, by conferring with wise men, by close research, and by questioning mariners returned from westerly voyages, he had suffered the thought of a direct western passage to India to germinate in his mind for years.

In 1484, he urged his views upon the Portuguese King, and that Monarch dispatched a vessel secretly to discover, if possible the passage. The vessel returned, however, without accomplishing anything, and Columbus, when he found out the deceit put upon him, left the Portuguese court in disgust. He then negotiated through his brother Bartholomew with Henry VII. of England, but without result, and finally laid his proposals before Ferdinand and Isabella of Spain. For seven years Columbus experienced every vexation attendant upon delay, and at last, wearied and disappointed, he turned his back upon the court of Spain. He sought the Grandees, but without success, and finally turned to the convent of Santa Maria de la Rabida, where he made a favorable impression upon the Prior Marchena, by whose interposition he was summoned to appear before Isabella the Queen. The surrender of Granada at the time, and the successes of the Spaniards against the Moors, left the sovereigns of Spain more at liberty to listen to his proposals, and Columbus was in a fair way to meet with a favorable reception. But while the negotiations were being carried on, he demanded recognition as viceroy, and a tenth share of all income from the territories to be discovered, which so displeased Ferdinand and Isabella that all came to an end, and Columbus mounting his mule in anger, started for France. Two ministers of Spain, however, named Santangel and Quintanilla being much impressed with the proposals of the navigator, induced Isabella to send and overtake him before he had proceeded far.

An agreement was then signed on April 17th, 1492, making Columbus viceroy, and giving him an eighth, instead of a tenth, of the profits from discoveries. This being satisfactorily arranged, the work of fitting out the vessels for the expedition

was commenced, and after some difficulty and delay in supplying and manning the ships, Columbus with his small fleet consisting of the *Santa Maria*, *Pinta*, and *Nina*, sailed out of the harbor of Palos, on the 3rd August. On the 12th October, a low sandy shore was seen, and a landing being effected, the country was taken possession of in the name of Ferdinand and Isabella of Spain. Columbus then continued his voyage of discovery, during which one of his vessels, the *Santa Maria*, was lost, whereupon he returned to Spain, reaching Palos on the 14th March, 1493, having been gone a little over seven months. He was royally received by the court and people, and on the following 25th September, set sail with seventeen vessels on his second voyage of discovery.

Columbus was a great navigator, but as an administrator of affairs in the new land he did not prove to be a competent governor. At least serious charges and complaints were laid against him before the court of Spain, while he was absent on his second expedition, which resulted in his returning in 1496 to defend himself, and this he appears to have done successfully, for we find that in 1498 he undertook a third voyage to America. On this occasion, however, his enemies seem to have been powerful, and so active in their persecution that an emissary was sent out to supersede him, and Columbus was brought back to Spain, bound in irons, only to regain once more, soon after his arrival, the favor of his sovereigns, and on the 9th May, 1502, he set sail on his fourth and last voyage, which in many respects proved to be a disastrous one.

It is certain that Columbus entertained the idea that the land he discovered was part of India, and hence the name "Indians," which was given to the natives. He died in the belief that he had discovered the short passage and stood

upon Indian soil, for on his last voyage, during the attack of fever which overtook him, his strong faith cried to him, "Why dost thou falter in thy trust in God? He gave thee India!" But the conviction did not long outlive its author: the discovery of the Pacific soon made it clear that a new world and another sea lay beyond the discovered land of Columbus. The geographical mistake was found out about 1517, but the appellation, "Indians," given to the natives, had become established, and it has been retained to the present day.

The disasters and the sickness which overcame him during his fourth voyage proved to be too much for even the iron frame and will of Columbus, and when he returned to Spain in 1504 he was prostrated with weakness and disease. In this state he lingered, deserted by his sovereign Ferdinand, (Isabella being dead), until on the 20th May, 1506, the great navigator breathed his last. During his lifetime the services of Columbus to his sovereign and the whole world were not adequately recompensed, and even after death posterity remained unmindful of him and his work until Washington Irving made a record of the navigator's eventful life—a brilliant effort and a just tribute to the magnanimity of Columbus' character.

In 1495, John Cabot laid proposals before Henry VII. to make a voyage of discovery to the west, and he and his sons were granted patents for any discoveries they might make. In May, 1497, therefore, Cabot set sail from Bristol in a small vessel with eighteen persons, and on the 24th June he discovered land upon which he planted a large cross, and the flags of England and St. Mark, thus taking possession in the name of the English King. On this voyage Cabot discovered Newfoundland, saw Labrador, and entered the Gulf of St. Law-

rence, which appeared to him to be the North-West passage to the East Indies or China, and under this impression, without penetrating further, he returned to England and was knighted for his services. His discoveries gave the crown of England a claim to the sovereignty of North America, and laid the foundation of the extensive commerce and naval power of Great Britain. Henry VII. now granted Cabot second letters patent to undertake another voyage, but for some reason he did not take command, but handed it over to Sebastian who was with him on the first expedition. As to the exact time when Cabot made his discovery, an ancient map, drawn by Sebastian, has the following words written on it by him in Latin: "In the year of Our Lord, 1497, John Cabot, a Venetian, and his son Sebastian, discovered that country which no one before his time had ventured to approach, on the 24th day of June, about five o'clock in the morning."

In the summer of 1498, Sebastian Cabot having taken his father's place, sailed from England with two ships, but on reaching America the severity of the cold in the extreme north, and other reasons, principally a desire to explore the country, induced him to turn southward, and having proceeded for some distance, want of provisions obliged him to return to England.

Gaspar Cortereal made the next voyage to America in 1500, starting from Lisbon with two vessels and touching at Greenland, or, as he named it, "Terra Verde," but the expedition was altogether barren of results. On the 15th May, 1501, Cortereal sailed a second time from Portugal, and having gone a distance of two thousand miles from Lisbon, he discovered an unknown land and coasted along its shores. The number

of large rivers encountered encouraged the belief that it was no island and Cortereal concluded that it must be connected with the country discovered to the north the year before, which at that time could not be reached on account of the ice. They found the land very populous and brought away a number of the natives to be sold as slaves in Portugal, and while making their explorations, they came across a broken sword and two silver ear-rings, evidently of Italian make, which were probably relics of the visit of Cabot to the country three years earlier. Two of Cortereal's ships, one having fifty slaves on board, reached Lisbon safely on their return voyage, but the vessel containing Gaspard Cortereal himself was never heard from, and must have foundered at sea.

The next year, on the 10th May, Miguel Cortereal started with three ships, having obtained the king's permission to go and search for Gaspard. The expedition reached the American coast, and finding so many rivers and havens, the ships divided in order to pursue the search more effectually and agreed to meet at a certain rendezvous within a given time. Two ships met at the appointed place and date, but the one with Miguel Cortereal was never heard of, and the theory is that both he as well as Gaspard were killed by the natives while trying to kidnap them for slaves. A year later an expedition was sent out at the expense of the king in search of them, but returned without finding any trace of either brother, and when Vasqueanes Cortereal, the governor of Terseira, proposed to undertake another expedition in person, the king refused to give the necessary permission.

The next discoverer we hear of is Amerigo Vespucci, who is said to have made two voyages to America by order of Ferdinand of Spain, one of which was in 1497, only five years

after Columbus' first expedition, and the other in 1499. Vespucci also claims to have made two subsequent voyages in the service of King Emanuel, of Portugal, in 1501 and 1503, but as the only accounts written of these were by Vespucci himself, there is grave doubt if they ever took place. Vespucci is generally looked upon as an imposter.

About this time, the fishermen of the ports of Brittany are known to have reached the banks of Newfoundland, and in 1506, Jean Denys from Honfleur is said to have visited the Gulf of St. Lawrence and to have made a chart of it. In 1508, Thomas Aubert, a Dieppe mariner, undertook a voyage and brought home with him to France the first specimens of the American natives ever seen there.

In 1517, Henry VIII. fitted out a small squadron for the discovery of a North-West passage to the Indies, and Sebastian Cabot went with it, but unfortunately Sir Thomas Pert, Vice-Admiral of England, was placed in supreme command, and when during the voyage a mutiny of the sailors occurred Sir Thomas became faint-hearted, and Cabot, perceiving his cowardice, resolved to return home. The records of this expedition, however, according to Sir Humphrey Gilbert, show very clearly that during the voyage Sebastian Cabot actually entered Hudson's Bay ninety years before Hudson discovered it. In a letter written by Sebastian Cabot to the Pope's Legate in Spain, he says that it was from the consideration of the structure of the globe that he formed the design of sailing to the Indies by a North-West course. He must have had some idea afterwards of finding a passage by the south, for he made a voyage to Brazil and was soon after drawn into the Spanish service. He then was employed to conduct a squadron through the straits of Magellan to the

East Indies, but instead of doing this he landed and formed a settlement in Paraguay, and remained there five years, at the end of which time he left the Spanish service, and once more joined that of England, but he was not known afterwards to encourage further expeditions to find a North-West passage until 1553, shortly before his death.

The next explorer of note was Giovanni da Verrazano, who, in 1521, begins to appear in Spanish history as a French corsair, which brought him to the notice of Francis I. His voyage of discovery, which was commenced in 1523, was connected with one of those predatory cruises, because we learn from Spanish sources, that in that year Verrazano, or Juan Florin, as he was known, captured the treasure sent home by Cortes to the Emperor, and brought it into Rochelle. He started with four vessels, but three of them becoming disabled by storms, he proceeded in the remaining one, named the *Dauphine*, and in 1524 reached the shores of what is now North Carolina, where he found the land inhabited by people of a simple and kind disposition, who received him and his men in a friendly manner. It seems certain that Verrazano entered the harbor of New York, but only partly explored it, owing to the prevalence of storms at the time, and he is said to have also discovered Newport, and to have sailed a distance of more than seven hundred leagues along the coast, exploring it carefully as he went. It is stated that subsequently he made two more voyages, and there is much doubt about his fate, one account being that he was killed by the natives of America during an expedition in 1527, and another that he was captured at sea by the Spanish, and hung as a pirate at a small village between Salamanca and Toledo. It is further stated that he gave a map to Henry VIII. of England,

although he does not appear to have been employed by that monarch.

About the same time as Verrazano made his first voyage, Estevan Gomerz, a Portuguese employed by Spain, sailed from Corunna, and made an attempt to discover a North-West passage, but only reached as far as Labrador. It is said that on his homeward voyage going south, he landed at the island of Cuba, and failing to obtain the rich cargo of spices he expected to bring home, loaded his vessel with kidnapped savages of both sexes, and reached Corunna in November, 1525.

In 1527, Henry VIII. sent out an expedition consisting of two ships under command of John Rut, but this navigator, in his efforts to proceed westward of Labrador coast, became beset with ice, and, one of his ships having foundered, the voyage was an unsuccessful one. It was not until 1536 that the next expedition left England, when a number of gentlemen in London undertook to send one to the west, the chief promoter of the enterprise being an individual named Hore, who was skilled in cosmography. The crews of the ships on this occasion suffered great privation during the voyage, and but for the timely appearance of a French vessel they would have all perished miserably.

But the French fishermen were even then actively engaged on the banks of Newfoundland, and the value of their industry soon attracted the attention of Chabot, an admiral of France, who induced Francis I. to once more send an exploring expedition to America. On this occasion, Jacques Cartier was selected and placed in command, who, on 20th April, 1534, left St. Malo with two ships on his first voyage of discovery, and in twenty days he was upon the banks of Newfoundland, and

soon afterwards entered the great gulf of St. Lawrence, being the first white man to do so. He advanced inland only a short distance, and while anchored in a bay, named it Baye du Chaleur, on account of the intense heat experienced there. Thus Cartier discovered the Gulf of St. Lawrence, and to commemorate it, he set up a large cross at Gaspé, with a shield attached having the words "Vive le Roi de France" on it, after which he returned home on the 25th July.

The main object of Cartier's first voyage proved a failure, and the route to the Indies remained undiscovered, but the brave navigator determined to persevere, and his representations having the desired effect, Admiral Chabot once more persuaded Francis I. to sign a commission in his favor. Three vessels, the *Great Hermine*, 120 tons: the *Little Hermine*, 60 tons, and a small galley, the *l'Amirilon*, were furnished by the king for the voyage, and on Easter Sunday, 1535, the expedition sailed. On this voyage, Cartier gave the name of L'Assomption to the island which is now known as Anticosti: he discovered and explored the Saguenay, called the Island of Orleans "Bacchus Island," from the number of grapes growing on it, and gave names to several islands and points on the lower St. Lawrence. At Stadacona (Quebec), Cartier met the Indian chief Donnacona, and was received with great rejoicing by the natives, but when he proposed to ascend the river, Donnacona opposed it. Cartier, however, persisted in going, and, leaving his ships behind, ascended in boats to Hochelaga, where he was welcomed by the Indians, who pointed with pride to their cultivated fields and to their town, which was composed of substantially built houses, and fortified, having one gate, with a gallery extending along the top of the wall, the ammunition consist-

ing of pebbles and stones. Cartier was regarded as a superior being by the Indians, who honored him as such, and asked him to heal their sick. He read to them from the gospel of St. John, and all the Passion of Christ word by word, after which he distributed presents midst a flourish of trumpets. He then ascended the Mount, which he named Mont Royal, to view the surrounding country, and was astonished at the evidences of thrift and prosperity which he saw among the Indians. Yet in less than seventy years after this, when Champlain reached the site of ancient Hochelaga, the fortified town and its inhabitants had disappeared—the Hoche-lagans were extinct.

When Cartier returned to Stadacona finding that his people had erected a fort and mounted artillery, he decided to stay during the winter at the harbor of Holy Cross (Quebec), and made his preparations accordingly. Scurvy, however, attacked his men, causing much distress and loss of life, during his stay, until the natives found a remedy in a decoction made from a tree called "Ameda." In May, 1536, he set up a cross and the arms of France, and having entrapped the chief Donnacona carried him on board ship and prepared to sail for France, but the natives being most unwilling to lose their king, protested, and were only pacified when Cartier promised to return the following year with Donnacona.

The voyage home was a tempestuous one, and it was not till July 1st, that Cartier once more anchored in the harbor of St. Malo. It is said by some writers that he now discouraged further efforts to explore America, but this is not borne out, it being much more likely that the king and people of France were dissatisfied with the results of the two voyages made by him, especially as he had lost a number of his men and left

one of his ships behind him. Certainly the interest in expeditions to America appears to have ceased for a time, and five years elapsed before another one was fitted out. Among those attracted by the reports of Cartier concerning the riches of the new land was Jean Francois de la Roche, lord of Roberval, who, in the year 1540, induced Francis I. to grant him a commission, creating him Lieutenant and Governor of Canada and Hochelaga, with Cartier as his assistant. The apparent object of the proposed expedition was stated as "undertaken to discover more than was done before in some voyages, and attain, if possible, to a knowledge of the country of the Saguenay, whereof the people brought by Cartier declared to the king that there were great riches and very good lands." Roberval was commissioned January 15th, 1540, but Cartier was not appointed until the following October, when he set sail with three ships on the 23rd May, 1541, Roberval not having completed his arrangements to accompany him, and on the 22nd August the expedition arrived at the harbor of Holy Cross. In the meantime Donnacona had died in France, or such was the excuse given by Cartier for not bringing him back as promised to his people, at which the Indians, although apparently satisfied with the explanation, were not pleased, and the chiefs plotted against the French to obtain revenge.

Cartier now built a fort called Charlesbourg Royal, where he left his fleet, and ascending the St. Lawrence in boats passed Hochelaga and attempted to ascend the rapids, two of which, it is said, he actually stemmed. He then returned to Charlesbourg Royal where he wintered, but saw little of the natives, who kept aloof from him, and in the spring, having collected some quartz crystals which he mistook for diamonds,

and some thin scales of metal supposed to be gold, he sailed for France. It is said that he met Roberval at St. Johns, Newfoundland, on his way out to Canada, but declined to return with him, pleading his inability to stand against the savages with so small a number of men. It is also said that he stole away from his chief in the night, but this is disputed. Cartier, however, undoubtedly returned to France, and his chief proceeded to the St. Lawrence without him. It is possible that Roberval reached his winter quarters in 1541, but it was not till July, 1542, that he began to fortify France Royal below Quebec, during which he had a great deal of trouble with his men, and also with the Indians, who were unfriendly to the French from the time that Cartier stole their king, so that extreme measures had to be used on several occasions to assert the authority of the governor. The whole expedition of 1541 and 1542 was a failure, and some time in 1543 Cartier visited the St. Lawrence and brought Roberval home to France. In reviewing the expeditions of Cartier and Roberval it has been said that they did not bear much fruit, but if we may judge from the activity that prevailed in the maritime towns of France during 1540 and subsequent years, and the number of private expeditions fitted out to go to America, it would seem as if the work of the explorers had been productive of good by exciting interest in the new land. From 1541 to 1545 this ardor was sustained, and private enterprise continued to be engaged in trading to Canada until 1597, when official colonization was taken up. Cartier, after bringing Roberval home in 1543, retired without having derived any material financial benefit from his great undertakings, and dwelt as Seigneur of Linoilon in his plain manor-house at St. Malo, where he died, greatly honored and respect-

ed, about the year 1555. As for Roberval, he soon passed from sight, although, according to Charlevoix, he made another attempt in 1549 to colonize Canada. Thevet says he was murdered in Paris, while others state that he perished at sea.

In 1553, an expedition, of which the then aged Sebastian Cabot was the chief promoter, sailed under command of Sir Hugh Willoughby and Richard Chancellor, but it ended in disaster, as the three ships comprising the fleet in following an easterly course were overtaken by winter, and Willoughby and all his men perished by famine and cold. Three years later, another vessel, commanded by Stephen Burroughs, was sent out in a north-easterly direction, and in midsummer the ship was beset on all sides by masses of ice, and was in danger of being annihilated so that all efforts to proceed were unavailing.

On the death of Sebastian Cabot, Martin Frobisher undertook a voyage of discovery to the North, and sailed from Blackwall on June 5th, 1557, but returned in October of the same year without having accomplished any important results. He is said to have brought home some mica which he mistook for gold, and he evidently gave glowing accounts of the new land, for in May, 1577, a second expedition was fitted out which proved as barren of results as the first one, yet Queen Elizabeth was so pleased with reports of the western world furnished by him that she sent him out a third time in 1578. Nothing of much importance came of the voyages about this time until, in 1585, John Davis sailed from Dartmouth about the month of June, and discovered the straits that bear his name. Subsequently he undertook two other expeditions, one in 1586, and the last one in 1587, when he reported very favorably of the possibilities of a North-West passage, but for eleven years after this, nothing was done

until the Marquis de la Roche, a Catholic nobleman of Brittany, undertook the colonization of New France under the auspices of Henry IV., an expedition which resulted only in disaster and loss of life.

In 1599 and 1600, M. Chauvin and M. Pontegravé made voyages together to the St. Lawrence, and descended to Lake St. Peter, formed a post at Tadousac, but, otherwise, accomplished little. Pontegravé, however, became identified with the fur trade of the country, and De Monts, who accompanied the expedition and afterwards went back to France, was induced by what he had seen, to return to Canada and take an active part in its colonization. About the same time that Chauvin and Pontegravé undertook their expedition, James Lancaster sailed to America, and soon after George Waymouth was sent out with two ships by some patriotic merchants of London and by the Muscovy Company. He made for Greenland, but after reaching a high latitude encountered such obstructions from ice and fogs that the crew mutinied, and the expedition was obliged to return without making further discoveries. Yet it is said that Henry Hudson was guided principally by the reports of Davis and Waymouth in making his discovery.

In 1605, the King of Denmark despatched three vessels under John Cunningham, who reached latitude $66^{\circ} 30'$, when his seamen refused to go any further, and the expedition accomplished nothing of note. Thirteen years after this, Christian IV. sent out two well equipped ships, commanded by Jens Munk, who traversed Davis Strait, but, failing to find the desired opening to the west, struck southward to Hudson's Strait and Hudson's Bay. He wintered at Chesterfield Inlet, where the crew endured such hardships that on the return of

summer only three survived out of sixty-five souls to make a perilous voyage homeward.

The account of these several expeditions to America, brings us down to the time when Champlain, the "father of Canada," made his first voyage, and as his explorations are of special interest in connection with the history of the North-West, we will devote the following chapter to them and the expeditions to explore the interior which were the outcome of his enterprise and activity.



CHAPTER III.

CHAMPLAIN IN CANADA, AND OVERLAND EXPLORATIONS IN THE NORTH-WEST.

AFTER Roberval's unfortunate expedition, the French appear to have taken no interest in Canada for a period of over half a century, until in 1603, Amyar de Chastes, the governor of Dieppe, conceived the idea of renewing the attempt to colonize the new world, and for this purpose invited Samuel de Champlain to accompany an expedition to America. The consent of Henry IV. having been obtained, Champlain agreed to go, and on the 15th March, 1603, set sail from Honfleur with two vessels, one of which was commanded by Pontgravé, and the other by Sieur Prevert. The expedition reached the St. Lawrence in safety, and at Tadousac Champlain found about a thousand Algonquin Indians assembled, engaged in celebrating a victory over their enemies, the Iroquois, whom they had just succeeded in defeating, and the wars between these two tribes, in which he was forced to take part, were destined in after years to interfere greatly with Champlain's efforts at colonization.

Immediately after this, the first survey of the Saguenay was made, and then, proceeding in boats, Champlain ascended the St. Lawrence to Hochelaga, and endeavored to stem the current of the rapids, but having to abandon the attempt, the explorers continued on foot along the shore for several miles,

obtaining much information about the country from the Indians, after which they returned to Tadousac. Champlain next explored the southern coast of the Gulf of St. Lawrence, and collected a valuable cargo of furs with which he returned to France, arriving at Havre de Grâce on the 20th September, 1603. and a book describing this voyage being published attracted so much attention that commercial enterprise in the direction of the new world was greatly stimulated by it. About two months after this, Amyar de Chastes having died, a commission was granted by the King to Sieur de Monts who had succeeded in forming an association of merchants for the purpose of prosecuting the fur trade. . About November, 1603. therefore, De Monts with two vessels, one commanded by himself and the other by Pontgravé, set sail accompanied by Champlain, but on reaching the coast of America the operations of the expedition were confined to Nova Scotia and New Brunswick, and in the following summer, they extended their operations to the more southern shores of America along the New England coast.

In 1607, the monopoly of De Monts in the fur trade was abolished owing to the remonstrances of French merchants, and the colony which he had established on the Island of St. Croix was broken up the colonists returning to France in September of that year. But Henry IV. was not altogether unmindful of the merits of De Monts when he heard the report of Champlain and the colonists, showing all that had been done, and he granted a renewal of the monopoly for one year.

De Monts then fitted out another expedition, at the same time appointing Champlain Lieutenant-Governor, and on 13th April, 1608, it left Honfleur, arriving at Tadousac on 3rd June, where Champlain found Pontgravé, who had preceded him

in serious trouble with some traders and fishermen, a difficulty which required all his characteristic prudence to settle amicably. He succeeded, however, in bringing about peace, after which, having constructed a small vessel of fourteen tons, he proceeded up the St. Lawrence.

On the 3rd July, 1608, Champlain laid the foundation of the City of Quebec, and the erection of buildings and establishment of his colony consumed so many months, that he and his men suffered much from want of supplies. As a result of this, a mutiny broke out among his colonists, and a plot to assassinate him being discovered, the ringleader, one Duval, was tried and hung, which had the effect of preventing any further insubordination on the part of his people. During the following winter, Champlain on learning from the Indians of a large lake and beautiful islands in the interior, determined, when the snow had melted, to explore the country thus described.

On the 18th June, 1609, therefore, he set out on this expedition, accompanied by about sixty warriors of the Algonquin tribe, and after a battle with the Iroquois, during which the firearms of Champlain experienced by these Indians for the first time did good service in obtaining a victory over them, he proceeded on his journey, and as he passed up the St. Lawrence it was observed that the Hochelagans existed no longer although the ruins of their town remained. Stadacona was no more, and it seemed to Champlain as if the native populations of Cartier's day had ceased to possess the country. On this expedition he explored the river Richelieu and the lake which bears his name, after which he returned to Quebec, and soon afterwards set sail for France, arriving at Honfleur on the 13th October.

De Monts' monopoly had now expired, yet he continued his efforts in the new world, and in 1610 Champlain was again sent out with two vessels and a commission, authorizing him to seize any vessel he should find trafficking in furs between Quebec and the sources of the St. Lawrence. Armed with this arbitrary power, it was his intention to foster and develop the commercial affairs of the new colony. He purposed exploring the Saguenay and up the Ottawa to Lake Superior, and even had some idea of penetrating as far as Hudson's Bay, the great inland sea which he had heard something of from the Indians, but war between his allies the Algonquins and the Iroquois, in which he was obliged to take part, prevented him. Again the firearms of the French prevailed, the Iroquois being defeated, and about this time the Hurons, who were then a powerful tribe, appeared upon the scene, with whom Champlain made a treaty of alliance and trade, and having thus secured strong allies among the Indian tribes, he returned once more to France in the interest of his colony. But before his departure he inaugurated a plan for obtaining interpreters, which not only proved of great service to him in his subsequent enterprises, but also led the way to future exploration and settlement in the North-West. He began the practice of placing one of his young men with the Indians to live with them and learn their language and customs, at the same time sending one of the latter to France to be educated, and in this way he formed a staff of interpreters, whose services became invaluable to him.

The assassination of Henry IV. caused Champlain to again visit France in 1610, when, having powerful friends at court, he succeeded in securing a renewal of his commission, with which he returned to Quebec, and during 1611 gave most of

his attention to the management of the fur trade. It was at this time that Champlain established a post on the site now occupied by the city of Montreal, which he named Place Royal, but which was afterwards changed to Pointe á Calliers.

The fur trade, owing to excessive competition, now became so unprofitable that De Monts and his associates were compelled to abandon it, and on their retirement Champlain, while in France, formed a new company with the Count de Soissons at its head, who, however, died soon after this, and was succeeded by the Prince de Condé. The formation of this company occupied the whole of 1612, and in 1613 Champlain returned to the St. Lawrence, arriving at Quebec on the 7th May, when he undertook an expedition up the Ottawa and beyond. It was on this expedition that one Nicolas du Vignan asserted to him that in the winter of 1612 he had visited Hudson's Bay by an overland route from the sources of the Ottawa, but it was afterwards proved that Vignan was an impostor, and that having heard accounts of the great inland sea from Indians he had endeavored to impose a falsehood upon Champlain. The latter, at the time this story was told him, was at Isle des Allumettes, on the Ottawa, and only about three hundred miles from Hudson's Bay.

Champlain now paid another visit to France, where he remained during the whole of the year 1614, returning to Quebec in 1615, and bringing with him three missionary priests, and a lay brother Recollet of the St. Franciscan order. He then undertook a most important expedition to explore the great interior of which he had heard so much. Ascending the Ottawa, he entered the Matawan, and by other waters reached Lake Nipissing, which he crossed, and following French river entered Lake Huron and Georgian Bay. Pro-

ceeding on by rivers and lakes and frequent portages, he managed to reach Lake Ontario and passed over to the New York side, where he and his Indian allies had a battle with the Iroquois, in which he was wounded, which caused him to spend the winter with the Hurons, among whom, through the exertions of Joseph la Caron, one of the Recollets who accompanied him, the foundation of Indian missionary work was then laid.

It will be observed that Champlain made frequent visits to his native land, which he did for the purpose of obtaining aid to better the condition of the colonists. In the winter of 1616 he once more went to France accompanied by two of the Recollets, for the purpose of stimulating interest in the colony and the missions which were struggling for existence on the banks of the St. Lawrence. But at this time extreme indifference was shown by the French court and people regarding the colonizing efforts in America, and Champlain did not return to Quebec until July, 1620, when Madame Champlain, then only twenty-two years of age, accompanied him and remained in Canada for upwards of four years. About this time the foundation of the first convent was laid by the Recollets, who, though few in number, were active and zealous in the spread of Christianity. A rival fur company was also organized, headed by William de Caen, but its competition did not last long, for in 1622 it became amalgamated with the old association established by Pontgravé, and the two carried on business under the name of the "Company of Montmorency," the charter granted by the King of France to this company being for twenty-two years, and with provision in it for securing Champlain's authority as Governor and the maintenance of missions. A treaty of peace was also effected

between the French, the Hurons and Algonquins on one side, and the Iroquois on the other, but unfortunately it only lasted for a short time.

Champlain's path during the whole of his career in Canada, was beset with difficulties against which he strove with untiring zeal, the greatest obstacle to the success of the colony being lack of substantial support from home. For four years Madame Champlain labored with him, and endeared herself to the colonists, but the strain upon one so delicately reared, and the privations she necessarily had to endure, were more than she could bear, and on the 15th August, 1624, she returned with Champlain to France, carrying with her the love and esteem of the people by whom her absence was afterwards deeply regretted. The object of Champlain's visit to France was the usual one to secure more generous support for the colony, and during his absence in 1624 he appointed De Caeen to act as governor for him.

The following year the vice-royalty of the colony was transferred from "Montmorency" to the "Duc de Ventadour," a nobleman who was much interested in the extension of the missions, and who afterwards contributed from his private resources for the support of the Jesuits in Canada. When, therefore, Le Caron and Sagard, the Recollet fathers, applied about this time to the Jesuits for assistance to carry on the missions in Canada, the Duc de Ventadour approved of it, and in June, 1625, five Jesuit priests and one additional Recollet sailed from France for Quebec. Those were the first Jesuits to land in Canada, and on their arrival, owing to reports circulated to their disadvantage, they were coolly received by the colonists, and if it had not been for the Recollet fathers who extended to them their kind offices and hospitality, they

would have gone back to France. The presence of the Jesuits and Calvinists in Quebec led afterwards to dissensions which gave Champlain a great deal of trouble, and led him finally to appeal to Richelieu to support his authority.

From 1625 to 1627 the colonists suffered much from a dearth of provisions, and had to endure the rigors of winter on short allowance, while the company in France received considerable profits from the traffic of the St. Lawrence. This, however, did not induce more liberal treatment of the colonists, thus showing that the prosecution of the fur trade, the principal business of the country, was not conducive to colonization purposes. The progress of the colony, therefore, was not satisfactory to Champlain or to the Council of State in France, and in 1627, Cardinal de Richelieu dissolved the old fur company and instituted a new one called "*La compagnie de la Nouvelle France*," consisting of a hundred members commonly known as the "*Hundred Associates*." Richelieu, himself, was at the head of this company, and its authority was to extend over the whole of New France and Florida. Its capital was three hundred thousand livres, and it proposed to send to Quebec in 1628 from two to three hundred artisans of all classes, and to transport within the space of fifteen years four thousand colonists to New France, the settlers to be wholly supported by the company for three years, after which each one of them was to be assigned as much land as he could cultivate. Only natives of France and exclusively of the Roman Catholic faith were to be allowed to enter the country, and the company was to have exclusive control of trade, etc.

It seemed as if a determined effort to colonize Canada was about to be made by the French, and in the spring of 1628 four armed vessels, convoying a fleet of eighteen transports,

laden with emigrants and stores, together with one hundred and thirty-five pieces of ordnance, left France for Quebec. But the expedition was destined never to reach the St. Lawrence, for the English and French being then at war, a fleet of the former under Admiral Kirke captured the transports and convoy of the "Hundred Associates," and carried them to England. Kirke then sailed to Quebec and summoned Champlain to surrender the fort and town, which the latter refused to do, but the English, who were prosecuting the war with vigor, were resolved to take possession of the French settlements in North America. Admiral Kirke, therefore, again appeared before Quebec and summoned Champlain a second time to surrender, and the latter being weakened in force and short of provisions finally capitulated in July, 1629, and the forts which he had taken so much trouble to build and strengthen passed into the hands of the English. Champlain was taken to England and held prisoner there for about a month, when he was liberated. Canada, however, did not long remain in the possession of England, for the treaty which was signed in 1632 gave France all her North American possessions, and Emery de Caeen received a monopoly of the fur trade immediately afterwards for one year, in order to permit him to recover his losses, after which the company of the "Hundred Associates" was reinstated, with Champlain once more in command.

With the restoration of Champlain to power, in 1633, the missions in the country were carried on by the Jesuits alone, the Recollets never having resumed the work after the occupation of New France by the English, and in 1633, when Champlain returned to Quebec, he was accompanied by the Jesuit fathers, Enemond Masse and Jean de Brebeuf, the latter being

no stranger in the country, having been a missionary among the Indians prior to the taking of Quebec by Admiral Kirke. It was about this time, also, that the annual reports, called the "Jesuit Relations," began to be regularly transmitted from Canada to the Order in France, and, up to 1672, they followed in regular succession, forming a series of valuable documents, from which much that is known of the early history of Canada is derived.

We now come to an epoch in the history of Canada, when an event of much importance to the North-West occurred, in the sending of John Nicolet on an exploring expedition into the interior. We have already mentioned the plan inaugurated by Champlain for the purpose of obtaining a staff of interpreters, and now we have to chronicle some of the good results of his efforts in that direction. John Nicolet was born in Cherbourg, and at an early age went to Quebec where he was detailed by Champlain for work among the Indians. For two years he was with the Algonquins, to be trained as an interpreter, and during that time suffered much hardship, but succeeded in learning the language. He next lived with the Nipissings for eight or nine years, until he was recognized as one of that nation, and in 1628, he is said to have paid a short visit to the St. Lawrence, but it was not till 1633 that he finally returned to civilization, fully competent to act as an Indian interpreter.

It was because of his knowledge of the Algonquin, Huron and Iroquois tongues, and his long experience while living with the tribes, that Champlain recalled Nicolet to Quebec, for the purpose of sending him on a most important mission. Champlain, at that time, although he had visited Lakes Huron and Ontario, knew comparatively little about the great inland

lakes. He heard reports of their magnitude, saw specimens of copper from Superior, and learned of great tribes of Indians living far in the interior, but he wished for more definite information. He imagined, from the descriptions given him of the tribes, that they came from China and Japan, and that the great lakes formed the waterway leading to Asia. Those far-off Indians were named the People of the Sea, and Champlain hoped that by gaining more information about them and the great inland waters he would discover a new highway to the East. So he chose Nicolet and sent him on a journey of exploration to the far west.

In the summer of 1634, therefore, Nicolet, accompanied by several Jesuit priests, who were on their way to labor in the Huron country, left Quebec and proceeded as far as Three Rivers, where he built a fort. In July he resumed his journey to visit the Winnebagoes, and as he and his party travelled up the Ottawa they endured great hardships until they reached Isle des Allumettes, where Nicolet, parting with the Jesuit fathers, turned towards the Hurons, entrusted, it is said, with authority to make peace between them and the Winnebagoes, whom he was on his way to meet. From the Huron country he proceeded in a birch bark canoe along the northern shore of Lake Huron on to Sault Sainte Marie thence up Green Bay toward the land of the Winnebagoes and on the way several tribes of Indians were encountered and presents distributed among them.

Nicolet was the first white man, so far as known, to look upon or traverse the waters of Lake Michigan, and from there he proceeded up Green Bay until he reached the Menomonee River, where he rested with a tribe of that name, while messengers were sent ahead to notify the Winnebagoes of his

coming. They, hearing of his proposed visit, dispatched some of their people to meet him, and on his arrival feasted and honored him. He was looked upon as a Manitou, owing to his firearms, which he displayed by firing off, although his mission was one of peace, and he succeeded in impressing the Winnebagoes so favorably that he resolved to proceed farther and visit other tribes. He travelled along the Fox River until he came to Winnebago Lake, which he passed through, and, once more entering the river, journeyed to the country of the Mascoutins. From there he turned his steps southward, and, leaving the course of the Fox, visited the prairies of Wisconsin and Illinois, after which he returned to the land of the Winnebagoes.

In the spring of 1635, Nicolet set out on his return to Quebec by way of the Mackinaw, along the south shore of the Great Manitoulin Island, thence to the country of the Hurons, and from there to the mouth of the French River, up that stream to Lake Nipissing, and down the Mattawa and Ottawa to the St. Lawrence, thus ending an expedition which was the means of unlocking the door to the far west.

At the beginning of 1634, the whole French population on the St. Lawrence was hardly one hundred and fifty souls, mostly engaged in the fur trade for the company of the "Hundred Associates," and but little was known of the interior of the continent. A few English and other strangers were also engaged in trading with the Indians, but Champlain was not long in power until he managed to regain the friendship and allegiance of all the Indian tribes, and the French then reigned supreme, to almost the entire exclusion of other trading nationalities.

Champlain, after Nicolet's return from his expedition to the

far west, was not permitted to follow up the work of exploring the great interior. In October, 1635, while attending to his duties, he was laid prostrate by a stroke of paralysis, and from that moment never rose from his bed. After a lingering illness of two and a half months duration, the great explorer and founder of Quebec breathed his last, thus closing a career of wonderful activity and enterprise, during which he laid the foundations of prosperity and happiness for future generations. During his last illness he was attended by Charles Lalement, who wrote the Relations of 1626, and this worthy priest officiated at the funeral ceremonies. It is a strange fact, in connection with Champlain, that there has not been found in Quebec, so far as known, a single document signed by him, and even the resting-place of his remains—the Father of New France—is a mystery at the present day.

In 1641, two Jesuit fathers, named Isaac Joques and Charles Raymbault, passed along the shores of Lake Huron, northward, and reached Sault Sainte Marie, where they met an assemblage of 2,000 Algonquins. The missionary priests were among the most active explorers of early days in Canada and the North-West, and we only mention the case of Fathers Joques and Raymbault, in the present instance, as a link in the chain of overland explorations we are now describing, it being our intention to devote a whole chapter to the work of the missionaries.

In 1654, a treaty of peace was effected between the French and the Iroquois, and traders penetrated the regions of the upper lakes, returning laden with peltries and telling wonderful stories of what they saw. No complete record is to be found of the journeyings of those hardy men, but stray narratives of their exploits indicate that they were in reality the

forerunners of the missionaries and the early explorers. It is generally admitted that the "*Coureurs des Bois*," the name by which those traders and trappers were known, preceded all others in the overland exploration of the North-West.

In 1649, Medard Chouart, known as Sieur des Groseillier, and Pierre d'Esprit, or Sieur Radisson, pushed their way beyond Lake Superior, and while journeying with the Hurons heard much of the deep, wide and beautiful river (the Mississippi). So impressed were they with the accounts they received that they resolved to penetrate far inland with the idea of reaching this river and exploring the country tributary to it. They therefore proceeded a long distance into the interior, trading with the Sioux Indians who inhabited the country between the St. Croix and Mississippi rivers, and after an absence of about a year returned to Montreal with three hundred Indians and sixty canoes laden with a wealth of skins. So successful had been this expedition that, although De Groseillier only returned on the 19th August, he at once collected together a fresh outfit of goods for trading purposes, and left Montreal on the 28th of the same month on his return to the far west. On this occasion he was accompanied by an aged missionary, named René Menard, and his servant Guerin, who, becoming discouraged at the indifference of the Indians to the cause of religion, left De Groseillier on the southern shore of Lake Superior, and went to live with the Hurons, in what is now the State of Wisconsin, where the worthy priest afterwards perished.

De Groseillier and Radisson returned from this second trip with information, gathered from the Indians, of a great inland sea to the north, and a firm determination to go and explore it. Accordingly, on the 2nd May, 1662, they set out, and be-

ing guided by the Indians succeeded in reaching Hudson's Bay. The result of this journey and subsequent expeditions of De Groseillier, to the north, was, as we will show hereafter, the formation of the Hudson's Bay Company in 1670.

In 1669, Louis Joliet and one Peré went as far as Sault Sainte Marie, and from there, in company with another Frenchman, proceeded through the valley of the Grand River to Lake Ontario, where they wintered, returning to Montreal in the spring. In 1670, Nicholas Perrot, a leading spirit among the "*Coueurs des Bois*," visited Quebec and was invited by Talon to act as guide and interpreter to his deputy, Simon Francois Daumont, the Sieur Sainte Lussion, who was commissioned to go to Lake Superior to search for copper mines and confer with the tribes. In October, therefore, Saint Lussion and Perrot left Montreal and travelled as far as Lakes Huron and Superior, where they took possession in the name of Louis XIV.

In 1678, Daniel Greysolon du Luth started from Quebec for the purpose of exploring the land of the Dacotahs and Assiniboines, and in 1679 he visited parts of the Dacotah country, where no white man had ever been. He also succeeded in bringing about peace between the various tribes in that part of the North-West, and, it has been claimed, extended his explorations as far as Rainy Lake, but this is a matter open to doubt.

In 1717, Lieutenant Roberval de Lanoue constructed a fort at Kaministiquie, and in 1731, Verendrye arrived there on his way to Lake Superior. To Verendrye belongs the credit of being the first explorer to cross the plains of the great North-West, although it is claimed by some that the *Coueurs des Bois* preceded him in his great journey to the Saskatchewan, an account of which appears in a later chapter of this history.



CHAPTER IV.

THE EARLY MISSIONARIES.

CANADA, and especially the North-West, owes much to the undaunted zeal and energy of the early missionaries. Their trials and privations would themselves form the subject for a good-sized volume, and, therefore, in the limited space at command, although as complete a record as possible will be given concerning their great work, many interesting details will have to be omitted.

In 1614, Champlain brought with him from France three missionary priests, named Denis Jamay, Jean D'olbeau, Joseph Le Caron, and a lay brother, Pacifique du Plessis, all of whom were Recollets of the Franciscan Order. Joseph Le Caron was sent into the interior and travelled a distance of seven hundred miles to Lake Huron, and on his arrival at what is now the north-western part of Simcoe county, the Huron Indians built a wigwam for him, where he offered his first mass. For six months, this great Franciscan missionary, amid hardships and peril, continued to study the language of the tribes, and on the 20th May, 1616, returned to Three Rivers for the purpose of gaining helpmates in the work he had undertaken. It was not, however, until the spring of 1623 that he again visited the Huron country, and when he did, he was accompanied by Father Nicholas Viel and Brother Gabriel Sagard. The Hurons received the three missionaries with open arms, and

built a chapel for them, after which Le Caron returned to Quebec, leaving Father Viel to continue the mission alone. The latter, by patience and perseverance, managed to acquire a fair knowledge of the Huron language, but his success in instructing and converting the Indians was so disappointing that he wrote to Le Caron for more help, which resulted in an application to the Jesuits to assist in the missionary work of New France.

In 1625, the Franciscans had a number of missions in the country, and, besides those in New Brunswick and Nova Scotia, had others at Tadousac, Quebec, Three Rivers, among the Nipissings and in the land of the Hurons. Finding the work, therefore, so promising, they were desirous of engaging more priests in it, but in this apparently they found some difficulty until the Order of Recollets in Paris invited the Jesuits to assist them. At that time, the Duc de Ventadour was viceroy of New France, and, being much interested in the extension of the missions, gave his approval to the employment of the Jesuits in the work. Accordingly, Enemond Masse, Charles Lalement, who became afterwards a great favorite with Champlain, and John de Brebeuf, came over to Quebec. At first their reception by the colonists was not of a friendly nature, and it is said that if the Recollets had not come forward and opened their doors to them, the Jesuits would have returned to France. They remained, however, and having command of resources from influential friends, they began to build, and brought over men to swell the settlement and cultivate the ground.

It was on the 19th June, 1625, that Fathers Lalement, Masse and Brebeuf arrived at Quebec, and with them came a Franciscan priest of noble family, named Joseph de la Roche

Dallion. Lalement remained at Quebec, and in 1626 wrote the first letter of the now famous "Relations of the Jesuits," while Jean de Brebeuf, being selected for the Huron mission, passed several months among the Indians, to prepare for the work before him. Father Le Caron never returned to the Hurons, but about the time Brebeuf started to labor among that tribe he departed for France, and died there in March, 1632. Father Viel, while returning to Quebec, in 1625, was treacherously murdered by a Huron guide, at a spot on the bank of the rapids, near Montreal, which still bears the name of Sault au Recollet. And thus the Franciscans gradually gave way to the Jesuits.

The record of the Jesuit missionaries in North America is a chapter of history full of personal devotedness, energy, courage and perseverance. Men of intelligence and education, they gave up all that civilized life could offer, to share the precarious life of wandering savages, and were the first to reveal the character of the interior of the country, its soils and products, the life and ideas of the natives, and the system of American languages.

In July, 1626, Brebeuf, in company with Father de Noue, who had just arrived from France, and Joseph de la Roche Dallion, started for the shores of Lake Huron. A man of broad frame and giant strength, this great Jesuit priest commanded the respect of the Indians with whom he travelled, by his tireless endurance, as stroke for stroke, with the strongest of the Hurons, he dipped his paddle from morning to night, and, to the amazement of his savage companions, showed no signs of fatigue. De Noue, who was comparatively aged, was unable sometimes to bear the fatigues of the journey, and weakened under his load, exciting thus the ridicule of the

Indians. Then Brebeuf would hasten to his companion's assistance, and, relieving him of his burden, would carry his double load for hours, much to the astonishment of all. When they reached the mission of St. Joseph, they found Father Viel's bark chapel still standing, and there Brebeuf and de Noue remained, while Father Dallion went to open a mission in another part of the country.

Father Dallion remained but a short time among the Hurons, for being summoned to Quebec he went there in 1627 and never returned to the mission, while Father De Noue, unable to master the Huron language, and suffering from ill health, departed also in the spring of 1627, and John de Brebeuf was left alone with the Hurons. This wonderful man took up his position fearlessly and with a determination to fight the battle of Christianity, no matter how powerful the foe. Accustoming himself to the hardships of life in an Indian camp, he set to work to win the souls of the savages, and succeeded in endearing himself to them, even making some converts, although, on the whole, he may be said to have failed in creating much impression on their hardened hearts. When he spoke to them of the doctrines of the church, they would say, "Echon." you want us to love the Iroquois, to take only one wife and to love her for all time: you say that we must not eat the flesh of our enemies, and ask us to give up our medicine feasts and many other things. We tell you, you are asking something we cannot do, unless your God will change us from what we are. Brebeuf replied that his God was all powerful.

In 1628, he was summoned to Quebec, and a short time after his arrival there the city surrendered to the English, under Admiral Kirke, who carried the Franciscan and Jesuit

priests to England, from whence they sailed for France, in October, 1629.

About this time the court of France seems to have considered that both the Recollets and Jesuits had failed to acquire the languages of the Indians sufficiently to suit the work of God and His Majesty the King. So each Order hastened to put in print evidences of its proficiency, the Recollets publishing a Huron dictionary, and the Jesuits a translation of the catechism into Huron, with the Lord's Prayer and other devotions into Montagnais. But Cardinal Richelieu seemed to favor neither Order, and when England yielded up her Canadian conquest to France, on the 29th March, 1632, he offered the mission to his favorite Order, the Capuchins, and only when they declined it did he permit the Jesuits to return. With the restoration of Canada to France by the treaty of St. Germain, the great Jesuit missions may be said to have begun, as the Recollets did not return to take up the work.

On the 13th July, 1632, Emery de Caeen entered upon possession of Quebec, by right of his charter granted for the space of one year by the King of France, and when he sailed for Canada, Fathers Paul le Jeune and De Noue accompanied him, to look after the missions. In the following year, Fathers Brebeuf and Masse arrived with Champlain, and the hopes of the missionaries were once more directed to the Huron country. But the Algonquins of the Ottawa refused them passage through their country until Champlain finally purchased the right of way, and in July, 1633, Fathers Daniel, Davost and Brebeuf embarked with a party of Hurons, and, after much hardship, being deserted by their Indian guides, arrived at their destination. When Brebeuf reached the spot where he had previously established the mission, he found his chapel

destroyed and the village in ruins, but, taking up a trail, he succeeded in finding his old Indian friends, who received him with every manifestation of joy.

For nearly two years, these three priests worked together, and in 1635 Fathers Daniel and Davost returned to Quebec. While on their way back, they met Fathers Garnier and Chastelain travelling to the northern mission, and at Three Rivers they found Father Joques about ready to follow, the latter having only arrived from France. So Fathers Daniel and Davost knew that Brebeuf would not be alone many days.

Father Joques arrived at the mission in September, 1636, in time to see the missionaries undergo a terrible ordeal. It seems that the summer being dry, the drought had extended far and near, and the medicine men of the tribe had blamed the black cross in front of the mission for it. Brebeuf painted the cross white, and still the drought continued. Then the Fathers called a council and prayed for rain, and that evening copious showers fell. The effect was greater than all the sermons the Fathers had preached. Next, a disease broke out among the Indians, carrying off many, and again the missionaries were blamed and their lives threatened on several occasions. But Brebeuf was bold and brave, and, although he had a narrow escape, he and his fellow priests being marked for death, the Hurons, for some unaccountable reason, laid down the murderous hatchet, and the mission was spared.

The missionaries, who now numbered nine persons—Fathers Brebeuf, Le Mercier, Chastelain, Garnier, Joques, Ragueneau, Duperon, Le Moyne and Jerome Lalemant, who acted as Superior, had many such escapes and suffered many sore trials at the hands of the fickle Hurons. They had two missions,

one called Conception, and the other St. Joseph, but they resolved that a permanent and central residence, isolated from the Huron towns, which would serve as their headquarters, was a necessity, and the result of this was that a chain of buildings, including a large chapel, was erected and named *Sainte Marie*.

In 1639, Fathers Joques and Garnier visited the Petun tribe without meeting with any success, although the following year Father Garnier was more fortunate, and established himself in their midst. In 1641, some of the Ottawas, representing the great Algonquin tribe, visited the mission, and on their return were accompanied by Fathers Raymbault and Joques to Sault Sainte Marie, those two priests being the first Europeans that ever passed through the Sault and stood on the shores of the great Northern lake.

In 1640-41, Fathers Brebeuf and Chaumonot paid a visit to a tribe known as the Neutrals, who lived on the peninsular land stretching between Lakes Erie and Ontario, then, as now, a most delightful country. But the Neutrals would not receive the priests, who, disappointed but not disheartened, returned to Sainte Marie on 19th March, 1641. Several Christian Hurons afterwards went to the Neutrals on missionary service, and in 1645 a band of the latter, numbering about one hundred, visited the Huron village, but before any good could result from the efforts of the priests and their Huron converts, the Neutrals were almost wiped out of existence by the Iroquois.

In 1642, Fathers Claude Pijart and Charles Raymbault opened a mission on the northern shores of Lake Nipissing, and again, in 1645, Fathers Pijart and Garreau labored amongst the tribes in that part of the country. But they

met with very little encouragement, and the sufferings they endured and the insults heaped upon them would have disheartened any other men. These unselfish, patient, enduring priests, however, finally succeeded in opening a mission with the Nipissings, making many converts among them, and if the tribe had not been dispersed in 1650 by the Iroquois, there is reason to suppose that they would have been won eventually to Christianity.

And now comes a period of disaster to the brave missionaries. In 1648, the Iroquois, who were the most warlike and ruthless among the American Indians, attacked the Hurons and destroyed their villages. Father Daniel was shot dead in his chapel while ministering to his people, and Fathers Brebeuf and Lalemant were put to death after enduring the most horrible tortures. So complete was the destruction of the Huron tribe that the fathers resolved to burn their mission houses at Sainte Marie, and remove to an Island on Lake Huron, to which they gave the name of Isle St. Joseph. The Iroquois next attacked the Petuns, where Father Garnier had a mission, who fell a victim to their ferocity, and about the same time Father Chabanel, left behind by his companions, the Hurons, who were fleeing from the Iroquois, was never seen again, but it afterwards transpired that a treacherous Huron, named Louis Honareenhax, an apostate Indian, met and killed him. As a result of these disasters, arising from the assaults of the Iroquois, the Jesuit missionaries were finally obliged, in 1650, to abandon the Huron country, and descended to Quebec with a number of Huron Indians, who afterwards located at Lorette.

In 1655, the undaunted missionaries resolved to make another attempt to christianize the Iroquois, and Père Chaumont

and Claude Dablon succeeded in preaching the truths of Christianity to them. About the same time, Fathers Gabriel Druillettes and Leonard Garreau started on a mission to the Sioux, but on their way were captured by a band of Mohawks and forced to return. In 1661, these two priests opened the mission of St. Francois Xavier among the Crees of the North-West, and this, and the missions attempted among the Sioux, beyond the Mississippi, mark the western limit of the old Jesuit efforts to convert the native tribes.

About this time, the Jesuits resigned the parishes on the St. Lawrence, which they directed, and confined themselves to their college and the Indian missions, and a collision having taken place between them and the Governor, in regard to the sale of liquor to the Indians, the Government of France sent back the Recollets to labor in Canada. The latter, however, did not undertake any important missions among the tribes, leaving that field to the Jesuits.

In 1663, the first missionary priest visited Hudson's Bay in the person of Father La Couture, who went there by order of the Governor of Canada, and this brings us to the time when other orders of priests were permitted to enter the field of Indian missions. In 1667, in addition to the Jesuit missionaries, two Sulpician priests began to labor among the savages. Bishop Laval having relaxed his rule, which confined the Indian missions, under his jurisdiction, solely to the Jesuit Fathers.

In a narrative such as the present one, with the small amount of space at command, it is impossible to mention all the names of the worthy missionaries engaged during those early days in extending the Christian religion in the direction of the North-West, or their many acts of devotion : but

sufficient has been mentioned to show the heroism and resignation, under the most trying difficulties, of those noble men. We must not forget, however, the lion-hearted Claude Allouez, who gave the name of Sainte Marie to the waters dividing Lakes Huron and Superior, and who for thirty years preached the gospel to the Indians, and established missions among no less than twenty different nations.

In 1671, Father Charles Albanel was the first white man who made the overland journey by the Saguenay to Hudson's Bay. Thus the missionaries gradually extended their sphere of operations in the direction of the North-West, and while the missions were being enlarged and extended in the region of the great inland lakes, and priests were known to pay visits to the northern seas, it was not until 1731 that a missionary entered the vast prairie region of the north. It was in that year that Père Messenger accompanied the *Sieur Varennes de la Verandrye* on his expedition west of Lake Superior, and was the first Christian priest who ever visited what was known as Rupert's Land. In 1736, a party of voyageurs, under the command of one of the sons of M. de la Verandrye, was accompanied by a Jesuit priest named Père Arneau, and this party, while camped on an island in a lake named the *Lac de la Croix*, a short distance west of Lake Superior, was attacked by a band of Sioux, who massacred them, the priest being among the number killed. From that time until 1818 no serious attempt was made by the Church of Rome to establish itself in the far North-West, when Fathers Joseph Norbert Provencher and Sévere Dumoulin arrived at Red River.

In closing this chapter, it may be well to give the following events connected with the early missionaries in chronological order:—

1615. Father Joseph le Caron discovered Lake Nipissing, and was the first European that stood on the shores of Lake Huron.
1636. Father John Dolbeau met the Esquimax.
1640. Fathers Brebeuf and Chaumonot discovered Lake Erie.
1641. Fathers Joques and Raymbault discovered Lake Superior.
1642. Father Joques was the first white man that ever saw Lake George.
1646. Father Du Quen discovered Lake St. John.
1653. Father Poncet was the first white man that sailed down the St. Lawrence from Lake Ontario.
1660. The Jesuits traced a map showing Lake Superior.
1663. Father La Couture visited Hudson's Bay.
1665. Father Allouez confirmed the report of the existence of copper on the islands of Lake Superior.
1667. Father Allouez discovered Lake Nipegon.
1671. Father Charles Albanel was the first white man that made the overland journey by the Saguenay to Hudson's Bay.
1731. Father Messenger was the first missionary to enter the great prairie region of the North-West.
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CHAPTER V.

EXPLORATIONS IN HUDSON'S BAY, AND CONFLICTS BETWEEN THE ENGLISH AND FRENCH.

ALTHOUGH Sebastian Cabot is credited with having entered Hudson's Bay, the first explorer of its shores was, undoubtedly, Henry Hudson. Several attempts to find a northwest passage in the direction of the bay were made, prior to Hudson's expeditions, but none of them succeeded in penetrating farther than Davis' Straits. In 1605, James Hall and John Knight, two navigators of note, the former in the employ of the Danes and the latter in the service of England, made voyages to the northern seas. In 1606, Hall undertook another voyage, and in the year following, he and Knight each undertook expeditions in search of a short passage to India. In 1612, Hall made his fourth and last voyage, which was fitted out by merchant adventurers in London, but he was mortally wounded in an encounter with the Esquimaux on the coast of Labrador, and the vessels returned to England without making any new discoveries. None of these expeditions succeeded in reaching Hudson's Bay, and it was left to Henry Hudson to make the discovery and explore the shores of that great inland sea.

It is a matter of regret that the names of the merchants of London, who employed Henry Hudson, and supported by their means his work of exploration, have not been preserved. They were actuated more by public and patriotic motives than

to satisfy their own private ends, and they spared no expense to accomplish the object they had in view, which was the discovery of a shorter passage to the East Indies, by the north, the north-east, or the north-west, it being said that Hudson searched all these directions during the time he was employed by them.

The first voyage undertaken by Henry Hudson for the purpose of discovering a passage to the East Indies, was commenced on 1st May, 1607, when he left Gravesend, and sailed directly north. On the 13th June he sighted land on the east coast of Greenland, and again on the 21st, and as he sailed northward the weather grew more temperate and pleasant, but, on the 2nd July, it became very cold. On the 14th July, Hudson sent a boat ashore, but nothing worthy of note was discovered, and he continued his voyage, until in latitude 82° he was hindered by the ice, and found it impossible to proceed farther. It was his intention to have sailed round Greenland, by the north-west, so as to return home by Davis' Straits, but he was unable to do this, and made his way back to England without attempting any further exploration, the whole voyage having lasted about five months.

On the 22nd April, 1608, Hudson started on his second expedition, but on arriving in the northern sea, found himself again prevented by the ice in his several attempts to force a way through. He endeavoured to find a North-West passage by entering Lumley's Inlet, but, baffled in all directions, turned south, and finding the river, which still bears his name, he ascended and explored it, erecting, at the same time, a fort, near the present site of Albany, which he called St. George. In 1609, he undertook his third voyage, and landing on the coast of Newfoundland, traded some time with the

Indians. From there he sailed in a southerly direction to Virginia, and carried on an extensive trade along the shores, for the purpose, it is thought, of lessening the losses entailed upon his employers by his various expeditions, as, so far, he had gained nothing in the way of finding a short passage to the Indies, which was the main object of his explorations.

On the 17th April, 1610, he sailed on his fourth and last voyage, taking his departure from Blackwall, and his employers, on that occasion, appointed a Mr. Colburne to act as his assistant, which was evidently resented by Hudson as indicating a lack of confidence in him. This appears to be the case, because, after leaving port, and while yet in the river, he sent Colburne back in a boat with a letter to the merchants, and proceeded on his voyage without him. In May, he reached Iceland, and landing there, was hospitably entertained by the people, but his crew, even at this early stage of the expedition, showed signs of mutinous conduct, which he had some difficulty in quelling.

In June, he left Iceland, and about the 9th of the month, was off Frobisher's Straits: on the 15th, he saw the land which Capt. Davis had named Desolation, and soon after this entered the Straits which have since borne his name. The 3rd August saw him in the Bay, and as he sailed along the shores he gave names to the various islands and capes which he passed. He thoroughly explored the west shore until the month of September, when he once more had difficulty with his men, which caused him to remove his mate, Robert Ivett, for mutinous conduct, and although his stock of provisions was getting low, he resolved upon wintering in the Bay, and in November found a place suitable for the purpose. During the winter, Hudson and his men suffered much from hunger and

hardships arising from the cold, and in the spring, when preparations were being made to return home, the expedition was in a sore plight and the men ripe for open mutiny. Then a man named Henry Green, a protégé of Hudson's and a most ungrateful scamp, conspired with Robert Ivett, the deposed mate, and, with the assistance of a majority of the crew, turned Hudson adrift in a boat, with his son and six more, including a Mr. Woodhouse, who had accompanied the expedition for scientific purposes. With little provisions to sustain life, the navigator and his companions must either have perished from hunger or been killed by the savages, as they were never heard of again, while the mutineers themselves suffered greatly during the voyage home, Green being killed in fight with the Indians and Ivett dying during the passage. When the survivors reached home, one of them, named Albacuc Priekett, wrote an account of the mutiny, in which he endeavoured to screen himself from blame, and from some of the particulars he gave, the company of merchants decided to send out another expedition in the double hope of saving Hudson and finding the desired passage.

Captain Thomas Button, an able navigator and accomplished in other respects, was chosen to take command, and in May, 1612, he sailed with two vessels, the *Resolution* and *Discovery*. Although it is known that Capt. Button kept a carefully written journal of his voyage, he, for some reason, concealed much of the information it contained, and the public gained little by his explorations. It was learned, however, that he entered Hudson's Straits, and crossed the bay to the southern point of Southampton Island, which he named Carey's Swans' Nest. He next kept on toward the western side, to which he gave the significant name of "Hope's Check," and, coasting

along the shore, he discovered the important river, which called Port Nelson, after the master of his ship, whom buried there, but which has since been known as Nels River. Here he wintered, and, according to Fox, kept the fires burning continually, and although supplied with great store of partridges and other fowl, he lost many men. On the breaking up of the ice he made a thorough exploration of the Bay, and of Southampton Island, and finally, in the autumn returned to England. There is every reason to believe, Button was accompanied by a number of experienced men of ability, that he collected a great deal of valuable information but he refused to publish it, even the exact date of his return to England being unknown.

Owing to the death of his master, Prince Henry, Captain Button did not make a second voyage, and the company of merchants therefore sent out Capt. Gibbons, in 1614, who sailed in the ship *Discovery*, but, missing the Straits, and getting caught in the ice, returned to England without accomplishing anything.

These repeated disappointments, however, did not deter the company of merchants from carrying on the expeditions, and in 1615 they again fitted out the *Discovery* for another voyage. On April 6th, Robert Bylot and William Baffin embarked on this vessel upon the first of the two voyages commonly associated with their names. They sailed from the Scilly Islands, and Bylot, who had served under Hudson Button and Gibbons, being well qualified for the position, took the command, and, following a course familiar to him, the two navigators passed through Hudson's Straits and ascended what is now known as Fox Channel. Here, and at the western end of Hudson's Straits, they spent about three weeks and then sailed for home.

Bylot returned to England, quite discouraged from looking further in Hudson's Bay for a passage, and proposed to his employers to try Davis Straits. This, they agreed to, and he accordingly sailed once more in the *Discovery* early in 1616, on a voyage which was destined to be of far greater interest and importance than the previous one, and to rank among the most famous of the Arctic voyages. Leaving Gravesend on the 26th March, with a company numbering in all seventeen persons, Bylot and Baffin coasted along Greenland, which had been named "Meta Incognita," and explored its shores thoroughly. They then passed through Davis Straits, and examined both shores of the great sea, which has ever since been known as Baffin's Bay, where they discovered and named Lancaster Sound and Jones Sound, besides numerous smaller bodies of water and many Islands. The crew of the *Discovery* being now attacked with scurvy, the navigators sailed for home, arriving at Dover on the 30th August, and in the report which Bylot wrote of the voyage, he gave most valuable information about the fisheries, although he was not favorable to the idea of being able to find a passage to the Indies.

After this Captain Hawkrige and Captain Jones made voyages, and entered Hudson's Bay, but no further expeditions were undertaken to discover a north-west passage until 1631.

With these two exceptions, a period of fifteen years elapsed after Bylot and Baffin's last voyage before explorations in Hudson's Bay were renewed, when Captain Luke Fox, a Yorkshireman of keen sense and great perseverance, succeeded in interesting the merchants of London once more. Fox was a skilled navigator, and, having given much study and attention to north-western explorations, was most sanguine of success. On the 5th of May, 1631, therefore, he sailed from Deptford, in the

Charles, a pinnace of seventy tons, victualled for eighteen months. He searched the western part of Hudson's Bay, discovered the strait and shore known as "Sir Thomas Roe's Welcome," sailed up Fox Channel to a point within the Arctic circle, and satisfied himself of the existence of the long sought passage, by a careful observation of the tides, but failed to discover it. He then sailed for England, and cast anchor in the Downs, on the 31st October.

At the same time that Captain Fox succeeded in interesting the London merchants, the merchants of Bristol became interested in the same direction, and the two companies came to an understanding to share the honor and profit of any discovery made. The Bristol merchants sent out a Captain James, who, on the same day that Fox began his voyage, sailed in a new ship of seventy tons, named the *Maria*, manned by twenty-two persons, and victualled also for eighteen months. Captain James confined his explorations chiefly to the waters of Hudson's Bay, more particularly to its south-eastern shore, and wintered upon Charlton Island, where he built a house, in which the ship's company lived from December until June, enduring all the horrors of an Arctic winter on an island only a little north of the latitude of London. On the 2nd July, they again set sail, but were so hampered by ice that their progress was very slow, and in the latter part of August, James, with the unanimous concurrence of his officers, determined to return home. He arrived at Bristol, on the 22nd October, having added almost nothing to the knowledge gained by Fox in a third of the time, although a part of Hudson's Bay is named after him to this day. The account given by James, of the hardships he and his crew endured, combined with his assertion that there was no passage, had a dampening effect, and

for over thirty years, no further efforts were made by England at discovery in the north.

In 1656, however, the French in Canada sent Jean Bourdon to Hudson's Bay, who made treaties with the Indians there, and found the trade in furs very profitable. It is also on record that about six years afterwards the New England colonists took up the work of exploration, and that a ship, commanded by Captain Shapley, was sent by them to the Bay, and about the same time, the bold and enterprising explorer, De Groseillier, pushed his way overland to its shores. It is said that the trading operations of the "*Coueurs des Bois*" in the interior, and the information received from those hardy explorers, led De Groseillier and Raddison, his companion, to push their way through Lake Superior up the Kaministiquia River, then through the Lake of the Woods, and along the Winnipeg River into Winnipeg Lake, thence by Nelson River to the shores of Hudson's Bay. De Groseillier and Raddison were conducted by the Assiniboine Indians on their journey to the north, and after they had looked upon the great inland sea they returned to Quebec, being still guided by their Indian friends. The sagacity of those two explorers pointed out to them the advantages of carrying on the fur trade through the Bay, and they endeavored to interest their countrymen in Canada in the scheme, but without success. Incredulity, want of means, and other causes, led the French merchants in Quebec to turn a deaf ear to the glowing representations of De Groseillier and Raddison, and the two explorers, disgusted with their treatment, left for France, where, however, they met with no better success. It was at this time that the Duke of Montague, hearing of De Groseillier and Raddison's explorations, sent for them, and

became so favorably impressed with their scheme that he gave them letters to Prince Rupert in England, who was then a patron and admirer of such enterprises.

Prince Rupert immediately took an interest in the matter, and, in 1668, he, with some others, fitted out the Ketch "*Non-such*" or "*Nonpareil*," under command of Captain Zachariah Gillam, and sent De Groseillier in it to Hudson's Bay. One account says that this was the second voyage of De Groseillier to the Bay, the other being in a ship fitted out by the Quebec merchants, and it is further stated that on this occasion six Englishmen were discovered at Port Nelson, in a hut, almost starved, and in a very weak condition; their story being that they hailed from Boston, and had been left on shore through their ship being driven out of the Bay by the ice. There is some doubt about this expedition from Quebec, and the story connected with it, but there is no question about the voyage in the "*Nonpareil*," as the expedition wintered in the Bay, and erected a small stone fort which Capt. Gillam called "Fort Charles."

Possession of Hudson's Bay, therefore, passed into the hands of the English, and on the 2nd May, 1670, as a result of Capt. Gillam's voyage, a charter was granted to Prince Rupert and his associates by King Charles, the Preamble to which reads as follows :—

That, whereas our dear, entirely beloved cousin, Prince Rupert, etc., have, at their own cost and charges, undertaken an expedition for Hudson's Bay, in the north-west parts of America, for the discovery of a new passage into the South sea, and for the finding of some trade for furs, minerals and other considerable commodities, and by such, their undertaking, have already made such discoveries as do encourage them

to proceed farther in pursuance of their said design, by means whereof there may probably arise great advantage to us and our Kingdoms, etc., etc.

In 1673, a Jesuit missionary, named Father Charles Albanel, was sent overland with letters to De Groseillier in Hudson's Bay, and the Governor of the company, suspecting that a plot was being hatched in favor of a French occupation, dismissed De Groseillier and Raddison from the service. The latter then openly tendered their services to the French, which were accepted, and an expedition fitted out by them for the Bay: but in the meantime the English resolved to possess Nelson River, and for that purpose built a fort at its mouth, appointing John Radigar, Governor. About this time, De Groseillier and Raddison arrived with the French, and a fight ensued, which resulted in the defeat of the English at Nelson River, Radigar and Captain Gillam being taken prisoners, and conveyed to the St. Lawrence by De Groseillier, who left his son, Chouart, in charge of the Fort.

De Groseillier, however, did not long remain in friendly relations with the French, and on his return handed over the fort at Nelson River to the English. He then, while in the service of the latter, established factories on Rupert, Moose and Albany Rivers: but in 1678, France, having sent out M. Colbert to contest with the English for possession, De Groseillier, who appears to have been somewhat of a fickle temperament, was induced to take part once more on the side of his countrymen, and the result was that all the forts built by him passed out of the hands of the English. Not long after this, Lord Preston, the English ambassador in Paris, persuaded Raddison, who was then in France, to go to London and there surrender the forts in Hudson's Bay, which, at the time, were

in command of his nephew, Chouart De Groseillier. The French, not being aware of this action on the part of Raddison, sent out two ships, in command of Montegnie, who, on reaching St. Theresa, was surprised to find it in possession of the English. Montegnie was obliged to winter on some small river in the neighborhood, and returned the following year to France, with a poor showing in the way of trade. It is said that the company who sent Montegnie out lost heavily by the expedition, and that Theres Conthey, the head thereof, petitioned the French King for redress, who, on the 20th May, 1684, gave them, by charter, possession of certain portions of Hudson's Bay.

In 1685, the Hudson's Bay Company possessed the five flourishing factories of Albany, Moose, Rupert, Nelson and Severn, but, in 1686, the French, under Chevalier De Troyes, captured Rupert, Moose and Albany, and in 1690, under Monsieur D'Iberville, they took Fort Severn but an attack made on Fort Factory the same year having failed, it remained in the hands of the English.

The French now remained in possession of the forts on James Bay for seven years, when the Hudson's Bay Company, with the assistance of the Crown, recovered them. The following year they were captured once more by the French, and in 1695, they were retaken by the English, with the aid of the King's ships of war, *Bonaventura* and *Seaforth*.

These constant changes in possession almost destroyed the trade of the Hudson's Bay Company, and they were busily engaged in preparing to recover it when D'Iberville, with two ships, the *Poli* and *Charonte*, appeared upon the scene. Geyer, who had successfully held York Factory against the French, in 1690, was still in command, but less fortunate in

1694: he was compelled by D'Iberville to surrender on the 14th October. The French commander then remained during the winter, and on the following 20th July took his departure for France leaving one Forest in charge.

The next year, 1696, York Factory was retaken by the English, who employed four ships for the purpose, and the garrison were carried prisoners to England. But D'Iberville immediately returned from France with a squadron, consisting of five vessels, and, in Hudson's Straits, meeting the English fleet, an engagement ensued. The French ships were, the *Pelican*, 50 guns; the *Palmier*, 40 guns; with three smaller vessels, the *Wasp*, *Profound* and *Violente*, and the English fleet consisted of the *Hampshire*, 56 guns, and two Hudson's Bay ships, the *Deering*, 36, and the *Hudson's Bay*, 32 guns. The engagement resulted without success to either side, and immediately afterwards the *Hudson's Bay* and *Hampshire* were lost, none of the crew of the latter being saved. The *Pelican*, which, at the time, fought the three English ships alone and behaved very pluckily, was afterwards lost, D'Iberville, who was in command, escaping with part of his crew to the shore. The French commander then, with his three remaining ships, took York Factory, and, after wintering there, returned to France in the *Profound*, leaving M. Serigny as Governor, and M. Jerome, Lieutenant, in his absence.

The next year, 1697, the treaty of Ryswick left the French in possession of all the forts in Hudson's Bay, except Albany, and in 1704, a party of French went overland from Canada to attack it, but were repulsed by Captain Barlow, who was in charge. The treaty of Utrecht, in 1713, restored to the Hudson's Bay Company possession of the Bay, and soon afterwards they built a wooden fort at Churchill, which they called Prince of Wales Fort.

During all this time, owing to the difficulties of their position, the Hudson's Bay Company were unable to give any attention to the finding of a north-west passage, but in 1719, Captain Barlow and Mr. Knight, who, it was said, was eighty years of age at the time, were sent out on an expedition for this purpose. They never returned, and their fate somewhat discouraged further attempts, but, in 1722, Capt. Scroggs conducted an expedition, and about 1742 the British Government, having obtained from the officers of the Hudson's Bay Company information which was regarded as furnishing decisive proofs of the existence of a north-west passage, despatched a naval expedition, in command of Captain Middleton, but it resulted in no important discoveries, although the ships wintered in Churchill River.

A long and warm dispute now arose between a Mr. Dobbs, who was a warm advocate in favor of the possibility of a north-west passage, and Capt. Middleton, in regard to the explorations of the latter. The result of this was that a company of influential and public-spirited men formed a company for the purpose of sending out another expedition. The capital was £10,000, divided into 100 shares of £100 each, and the government of England offered a reward of £20,000 in case the discovery was made. Two ships were purchased and fitted out, one of which was named the *Dobbs-Galley*, under command of Capt. William Moore, and the other, the *California*, commanded by Capt. Francis Smith.

On the 31st May, 1746, these two vessels, in company with four of the Hudson's Bay Company ships, set sail from Yar-

In the Parliamentary library, Ottawa, may be seen a map, published in London in 1776, by Thomas Jeffrey, Geographer to the King, on which is engraved this note: "In latitude 53 'tis pretended that in 1740 Admiral de Fonte entered and sailed by lakes and rivers till he found a ship (as is supposed in Hudson's Bay), from Boston, in New England."

mouth Roads, on the last expedition in search of a North-West passage through Hudson's Bay. The vessels were absent over a year, returning on the 14th Oct., 1747, and an interesting account of the voyage was published, in which the probabilities of the future discovery of a passage were fully discussed. The report was written in a spirit of unfriendliness to the Hudson's Bay Company, whose officers at Churchill, York, Albany and Moose River, were described as having shown themselves unfavorable to the success of the expedition. It admitted that the Company, even in those early days, had acquired a wonderful influence over the Indian tribes—an influence which they have retained ever since. But the narrative of the Dobbs-Galley expedition was written in a spirit of prejudice, and several of the accounts published about this time, by persons who were engaged or interested in the sending of expeditions in search of a North-West passage, were evidently biased, so far as they related to the Company, simply because the officers, being mindful of their duties to their employers, were not likely to always fall in with the views of explorers.

From 1740 to 1748, instructions of the strictest character were sent out by the Company to their officers at Hudson's Bay to be on their guard in dealing with any ship or ships coming near the forts. As a specimen of these, we give the following extract from a letter sent to the officer in charge of Albany fort in 1744.

LONDON, 10th May, 1744.

To Mr. Joseph Isbister and Council, at Albany Fort :

The English and French having declared war against each other, and the war with Spain still continuing, we do hereby strictly direct you to be always on your guard, and to keep a good watch, and that you keep all your men as near home as possible.

You are to fire point blank upon any ship, sloop or vessel that shall come near the Factory, unless they make the true signal and answer yours.

This warning was repeated each year until 1848, the words, in each case being almost identical, and it was addressed to all the officers at the various forts.

Probably Mr. Dobbs and his party took umbrage because the Hudson's Bay Company officials, in their case, carried out these instructions to the very letter. A perusal of the following letters, addressed to the commanders of the expedition will show, however, that assistance was not refused, but, on the contrary, was offered to the expedition, although the ships were prevented from approaching the factories without due permit.

AUGUST, 27TH 1746.

To the commanders of the two ships lying off this river's mouth :

GENTLEMEN,

We would advise you for your own safety not to proceed any further with your ships, boats or vessels anywhere near or about this fort unless you send one man with a proper authority from the Government Company trading into this Bay for so doing : otherwise I shall do my utmost endeavors to hinder any ship or boat from entering this river.

This is our firm resolution.

JAMES ISHAM.

Dated at York Fort,
August 27th, 1746.

The next communication was on the 2nd September following, and read thus :

The Commander-in-Chief of the Dobbs-Galley and California :

These :—

GENTLEMEN,

According to His Majesty's printed Act of Parliament, 1744. we observe that it is therein specified that no ship or ships that are or should be fitted out to go upon discoveries through Hudson's Bay into Wager River, and so into the South Seas, or otherwise, are to molest or dis-

turb the Hudson's Bay Company's rights and privileges in Hudson's Bay, so far as the said Company's charter extends in the said Bay, upon any account whatsoever. And the said Act also specifies, that no person or persons belonging to such discovery ships are to traffick or trade, directly or indirectly, with any natives, or any other person or persons within the limits of the said Company's charter. And we observe that in His Majesty's said printed Act of Parliament, it is our duty to hinder any ship or ships from entering in or near any of the Company's territories in Hudson's Bay, so far as their said charter extends ; therefore, according to the aforesaid Act of Parliament, we desire that you would not offer to bring your ships any higher up this river, but to lay them below what we call Robison's Culley, where you may expect what assistance we are able to give you, so far as our orders are from the Hudson's Bay Company, and desire your answer to this before you proceed any further.

Though at same time would advise you, as before, to make the best of your way to Churchill River, where you are sensible the ships may winter without any damage,

And rest,

Your very humble servants,

JAMES ISHAM.

CHARLES BRADY.

RICHARD FORD.

Dated at York Fort,

Sept. 2, 1746.

From the above it will be seen that the Company's officers were only cautious about performing their duty to the letter, without, however, refusing any assistance which it was within their power to give.

Indeed, the great services rendered by the officers of the Hudson's Bay Company to explorations at different times in the History of the North-West, indicate that they were not unfriendly to such efforts. The various expeditions of officers themselves, such as Bean, Christopher, Johnston, Duncan, Hearne, Rae and others, and the aid rendered by the Company to the British Government in the explorations of Parry, Franklin, Ross, Beechey, Back, etc., is a conclusive proof of this.

To return, however, to the immediate subject of this chap-

ter. we find that in 1742, owing to the encroachments of the French fur traders in the interior, who were intercepting the Indians, and preventing them from visiting the shores of Hudson's Bay, the Company built a fort about 150 miles up the Albany River, and called it Fort Hurley. From this time until 1782, the English enjoyed undisputed possession of the Bay, but in that year, on the 8th August, three French ships, the *Sceptre*, 74 guns: the *Astarte* and the *Engageante*, each 36 guns, under the command of Monsieur la Perouse, unexpectedly appeared before Fort Prince of Wales, which was under the charge of Samuel Hearne, and the day following, although in a good state to resist a siege, it capitulated, and the invaders, to the number of four hundred, entered and took possession. Another account says, that although the fort was well mounted and furnished with plenty of ammunition, there was only a force of thirty-nine men to defend it. Perouse then went to York Factory, which was also strongly fortified, but short of men, there being only sixty English and twelve Indians to resist an attack. On the appearance of the French, the Governor, without firing a shot, handed over the fort, and some assert that from the weak state of the enemy, and his own strong position, he might have defied all efforts at capture.

The loss to the Hudson's Bay Company through this attack on the part of the French, was a most serious one, the whole of their stores, together with great quantities of provisions, etc., being destroyed. The French themselves, through the severity of the climate, and their own inexperience, lost heavily, and this, without gaining any corresponding advantage, for the English ever afterwards remained in possession of the Bay.



CHAPTER VI.

THE FUR TRADERS.

FROM the earliest settlement in Canada, the fur trade was considered of the first importance, and the profits derived from it were the main incentive for carrying on explorations in order to extend its operations among the various Indian tribes. As the country became settled, the fur-bearing animals decreased in number around the settlements, and those who traded in peltries were obliged to seek more distant fields in the pursuit of their calling. It was in the prosecution of the fur trade that men were first induced to penetrate the wilds of the north-west, to roam over its vast prairies, ascend its mighty rivers, and explore its mountains. It may therefore be truly said that the fur traders were the forerunners of civilization in North America.

The men who dealt directly with the Indians, who followed them in their journeyings, and visited their far-off camps, were a bold and hardy set of adventurers, who, in their wandering mode of life, and their constant intercourse with the savages, soon lost all relish for their former habits and native homes. These men, in the early days of Canada, when it was known as "New France," were called "*Coureurs des Bois*," and were accustomed to make trading excursions among the Indians, extending sometimes to twelve or fifteen months, and even longer. They were given the necessary credit by

the merchants in the settlements, to permit them to proceed on their commercial undertakings, and, taking with them the goods suitable for the wants or fancy of the Indians, they would start on one of their long and arduous journeys. On their return they would bring back the furs which they had been able to collect from the red men in exchange for the goods, and the proceeds of the sale of these furs went to pay the merchants, the balance, if any over, being spent in riotous living in the settlement, until it became necessary to start upon another trading trip.

This mode of life tended to make the "*Coureurs des Bois*" a licentious and dissipated set of men, which brought them into disrepute, especially with the missionary priests, and their unscrupulous conduct reached such a pitch that the French Government in Canada finally decided that trading with the Indians should be done only by license. It was intended that the permits to trade should be granted to men of good character, but they were frequently given to persons as a reward for services, with permission to sell them to the merchants. The latter, however, sold them to whoever chose to pay for them, so that the licensing system failed to be the protection against unscrupulous traders, which it was intended to be. While France was in possession of Canada, the system continued, and it was used in rewarding officers of the army or others of good family connections, not likely to make use of the permits for trading purposes, but they sold them for good prices, because, whoever possessed the exclusive trade by license, of a district, was the only person to whom the Indians could apply for such articles as they required in exchange for furs.

That the traders abused the privileges they enjoyed by

license, there is no doubt, and, although the missionaries watched them closely, they were unable to check them. At last, the bad conduct of the "*Coueurs des Bois*" caused the establishment of military posts to be made at different points of the country for the purpose of controlling them, after which, a number of able and respectable men commenced to trade with the Indians, on a scale larger than the "*Coueurs des Bois*" were able to attempt.

About this time, Verandrye, son of the Seigneur of Varennes, and who had served in the army in Europe, as well as in America, conceived the idea of exploring the country to the north-west. The scheme was approved by Beauharnois, the Governor, but the French ministry would not aid the enterprise by contributing towards the cost of the expedition, so Verandrye formed a trading company in Montreal, and, in 1731, set out for Lake Superior, taking with him a priest named Père Messenger. Although no assistance was rendered to him by the Government, he was expected and empowered to take possession, in the name of the French king, of all the country he should discover.

Verandrye, however, between the years 1731 and 1733, devoted himself more to establishing trade for his company than making explorations on behalf of the French king, and his followers being bold, active, and enterprising men, carried their operations far into the interior. Starting from Kaministiquia, where a fort had been established in 1717 by Lieutenant Robertal de Lanoue, they passed westward, erecting Fort St. Peter on the way, and, in 1732, they constructed Fort St. Charles at the Lake of the Woods.

They then followed the Winnipeg river, and on its banks erected Fort Maurepas, from which point they continued their

exploration across Lake Dauphin, Swan Lake, Red Deer River, and then along the Saskatchewan up to the junction of the two branches of that mighty river. The Verandryes are credited with the building of Fort Dauphin at the head of Lake Manitoba, Fort de la Reine at its foot, Fort Bourbon at the head of Lake Winnipeg, and Fort Rouge at the junction of the Red and Assiniboine rivers. They are also said to have penetrated the interior as far as the Yellow Stone River, and to the foot of the Rocky Mountains. In 1736, Verandrye lost one of his sons at the hands of the Indians, and the story of the massacre is pathetically related by him in his journal. It appears that two of his sons, with a couple of men, had been sent to Fort Maurepas to act as a guard, and to await his arrival, but returned unexpectedly on 4th June, bringing news of the death of his nephew, La Jem-eraye, and of the scarcity of food. "I had," says Verandrye, "many people in the Fort (St. Charles), and no provisions, which determined me to send in haste three canoes to bring us assistance and some goods. The Reverend Father (Arneau) immediately resolved to go to Michillimackinac. He asked me for my eldest son, as he hoped the journey would be speedy. I could not possibly oppose him, he being absolutely resolved. They embarked on the 8th June, and were all massacred by the Sioux at seven leagues from our fort, by the greatest of all treasons. I lost my son, the Reverend Father, and all my Frenchmen: I shall regret it all my life."

In 1742, one of the sons of Verandrye reached the Missouri, but, being unable to obtain the necessary guides, returned to the headquarters of his father. The elder Verandrye sent him back with another son and two Frenchmen, and the four made a journey to the foot of the Rocky Mountains, where

they made a bargain with a tribe of Indians to escort them to the top of the Rockies, so that they might gaze upon the great western ocean. But the guides, fearing that in their absence their enemies would attack their village, refused to go, and the Verandryes were obliged to abandon the idea of climbing the mountains.

Until 1742, the Hudson's Bay Company had confined their trading operations to the shores of Hudson's Bay, but in that year they made their first advance inland, by effecting a settlement, as shown in a previous chapter, about 150 miles up the Albany River. This was done to intercept the Indians who were then beginning to carry their furs to the French in the interior, rather than to the English on the Bay. In 1749, Verandrye died, and the next year the work of exploration was taken up by Le Gardeur St. Pierre, who, by orders of the Marquis de Lajonquière, Governor of New France, penetrated the North-West to discover the Western Sea, and on this expedition a Jesuit priest, named Father Lamorenerie, accompanied it part of the way, but, worn out with the fatigue and hardships of the journey, was obliged to return. In his report of the expedition, this explorer testifies to the great influence which the Hudson's Bay Company had, at that time, over the Indians, and relates the following instance: "The English, annoyed at not receiving a large amount of furs at Hudson's Bay, sent collars to the Indians, forbidding them, under penalty of dying, to carry the furs elsewhere than to them. Not having done so, and about eight hundred of them having died from cold, they were all seized with fright, and told one another that the Manitou (the devil) had wrecked vengeance on them, in answer to the prayer of the English." In another part, he says, "All combined, bring me to the conclusion that

it is not possible to penetrate further than I have done, on account of the war in which all the nations of this continent are engaged, in which they are encouraged by the English, an easy matter for them, the Indians being so greatly afraid, that their threats alone are able to make them undertake anything." St. Pierre's report shows, also, that French traders had penetrated as far as, or near to, the Rocky Mountains, long before his expedition took place. "He (M. de Niverville, one of his party)", says St. Pierre, "gave me an account of what he had learned at the settlement he had made near the Rocky Mountains, that a party of Indians, who were going to war, met with a nation loaded with beaver, who were going by a river which issues from the Rocky Mountains, to trade with the French, who had their first establishment on an island at a small distance from the land, where there is a large storehouse, that, when arrived there, they made signals, and people came to them to trade for their beavers, in exchange for which they give them knives, a few lances, but no firearms: that they sell also horses and saddles, which shelter them from arrows when they go to war. These Indians positively asserted that the traders were not English." Both Verandrye and St. Pierre wrote interesting journals of their expeditions.

It was not until 1767 that English traders entered the interior of the North-West. In that year, Mr. Thomas Currie, having procured guides and interpreters, penetrated the country as far as Fort Bourbon, one of the French posts at the west end of Cedar Lake on the Saskatchewan, where he carried on a most successful trade with the Indians. The following year, a Mr. James Finlay went as far as Nipawee, the last of the French settlements on the Saskatchewan, where he engaged successfully in the fur trade for a number of years.

After the British took possession, the "license" system of the French was done away with in the North-West, and free trade took its place. The adventurers in the Indian country, after this, made large profits, which brought about keen competition, resulting disastrously to the Indians, for, instead of endeavoring to secure trade by offering better or cheaper goods, the traders made use of a profuse supply of spirituous liquor as a shorter and more certain method. The ungovernable propensity of the Indians for intoxicants is well known, and the disorders that ensued from this mode of carrying on trade, may be imagined. The traders were scattered over a country of vast extent, and so far removed from civil authority, that they believed that they could commit almost any crime with impunity.

These men were not only engaged in debauching the Indians, but they used the natives when under the influence of liquor, as the means of taking revenge upon their rivals in trade, and one trader having a grudge against another, instead of resorting to personal violence himself, would employ or persuade the Indians to do the deed. Mr. Henry, in his interesting account of travels and adventures, says, that on arriving at Grand Portage, Lake Superior, in 1775, he found the traders in a state of extreme reciprocal hostility, each pursuing his own in such a manner as might most injure his neighbor, and the consequences were very hurtful to the morals of the Indians.

At this stage, it may be interesting to note some particulars of the military system carried on by the French Government, prior to the cession of the country to the English, and which, although not altogether a prevention of outrages against the Indians, served as a check upon the traders and was certainly

better than the system of free trade afterwards followed, and to which allusion has just been made. Sir Guy Carleton, in a letter addressed to Lord Shelburne, in 1768, states as follows: "The annexed return of the French posts of troops for the protection of trade, with the number of canoes sent up in the year 1754, shews in some measure the extent of trade and system pursued by the French Government in Indian affairs: they did not depend on the number of troops, but on the discretion of their officers, who learned the language of the natives, acted as magistrates, compelled the traders to deal equitably, and distributed the king's presents: by this conduct they avoided giving jealousy, and gained the affections of an ignorant, credulous and brave people, whose ruling passions are independence, gratitude and revenge, with an unconquerable love of strong drink, which must prove destructive to them and the fur trade, if permitted to be sent among them: thus managing them by address, where force could not avail, they reconciled them to their troops. The country was divided in certain districts, and the only restraints laid on traders were, first, not to go beyond the bounds of that district they obtained passes for, and secondly, not to carry more spirituous liquors than was necessary for their own use, nor to sell any of that to the Indians: the king's posts, or rather the intendant's, were the only ones excepted from this general rule. Under these regulations, the canoes went first to the post of the district from whence they had full liberty to go among the Indians and accompany them to their hunting-grounds; they likewise called on their return: if any were ill-treated, they complained to the commandant, who assembled the chiefs and procured redress. The savages also made complaints and obtained immediate satisfaction—an exact report

of all of which was sent to the governor. This return may be depended upon for so much as it contains, but as the King of France was greatly concerned in all this trade, a corrupt administration did not think it their interest that all these matters should appear in a full, clear and lasting manner."

Sir Guy Carleton then suggests the sending of military men as explorers, and the extension of explorations to the Pacific Coast. He says: "I shall easily find in the troops here (Quebec) many officers and men very ready to explore any part of this continent, who require no other encouragement than to be told such service will be acceptable to the King, and if properly executed will recommend them to his favor: but as they are unacquainted with the country, the Indian languages and manners, 'tis necessary to join with them some Canadians to serve as guides and interpreters. The gentlemen here are mostly poor and have families: in order to induce them to attach themselves thoroughly to the King's interests, 'tis necessary they should be assured of their being taken into his service for life, and in case they perish on these expeditions that their widows will enjoy their pay, to support and educate their children. Should His Majesty think proper to allow the traders to go up to the Western Lakes, as formerly, I think a party might winter in one of those posts, set out early in spring for the Pacific Ocean, find out a good port, take its latitude, longitude, and describe it so accurately, as to enable our ships from the East Indies to find it out with ease, and then return the year following. Your Lordship will readily perceive the advantages of such discoveries, and how difficult attempts to explore unknown parts must prove to the English, unless we avail ourselves of the knowledge of the Canadians, who are well acquainted with the country, the language and manners of the natives."

But the explorations of the North-West were to be chiefly in the hands of the fur traders. In the spring of 1771 Mr. Joseph Frobisher with thirty or forty canoes went as north as Churchill river, and, intercepting a number of Indians on their way to Fort Churchill, succeeded in buying their furs. In the following year he returned to the same place, where he was at a point in lat. $55\frac{1}{2}^{\circ}$, long. $103\frac{1}{2}^{\circ}$, and his second visit was equally successful with the first. He then sent his brother further west, who penetrated to the Lake Isle a la Croix in lat. 55° , $26'$, long. 108° .

Meantime the Hudson's Bay Company had not been idle since their first advance inland in 1742, for in 1770 they sent Mr. Hearne to make explorations in the North-West. Starting from Prince of Wales Fort on the 7th December, he followed the course of the Churchill River, and then discovering Coppermine River, followed it to its mouth where it empties into the sea, and where he found the ice unbroken on the 1st of July. Mr. Hearne was absent on his journey a year and several months, and although the company did not receive any immediate practical benefit from his trip, it proved of advantage in several ways, chiefly from a scientific point of view. In 1773 however, Mr. Hearne, who had been appointed Governor of Prince of Wales Fort as a reward for his services in 1770, undertook another expedition to Pine Island Lake, where he erected a fort now known as Cumberland House. From that time the Hudson's Bay Company, roused from the torpid state in which they existed on the frozen shores of the bay, followed the example set by their more energetic competitors, and a little over twenty years had extended their trading posts from Cumberland House to the Rocky Mountains.

To return to the fur traders, we find that the success which

attended the Frobishers' efforts, induced others to follow in their footsteps, and in 1778, a number of traders on the Saskatchewan formed themselves into a company, and gave the management to Mr. Peter Pond. He was instructed to go as far as Athabasca, if possible, which was then a country unknown, except from Indian report, and in this he may be said to have succeeded, for he reached the banks of the Elk river. There he passed the winter of 1778-9, and carried on a very successful trade with the Indians. Indeed he secured more furs than he could carry away, and left some behind, stored in one of his winter huts, where they were found the next season in the same state as he had left them.

Mr. Charles Grant, in a letter to General Haldimand, dated 24th April, 1780, gives some interesting particulars relating to the fur trade as it was carried on about that time. He says: "At all times the trade to the upper countries has been considered the staple trade of this Province, but of late years it has been greatly augmented, in so much that it may be reckoned, one year with another, to have produced an annual return to Great Britain, in furs, to the amount of £200,000 sterling, which is an object deserving of all the encouragement and protection which Government can, with propriety, give to that trade. The Indian trade, by every communication, is carried on at great expense, labor and risk, of both men and property: every year furnishes instances of the loss of men and goods by accident or otherwise. It is not, therefore, to be expected that the traders in general are men of substance: indeed few of them are able to purchase, with ready money, such goods as they want for their trade. They are consequently indebted, from year to year, until a return is made in furs, to the merchants of Quebec and Montreal, who are

importers of goods from England, and furnish them on credit. In this manner the upper country trade is chiefly carried on by men of low circumstances, destitute of every means to pay their debts, when their trade fails: and if it should be under great restraints, or obstructed a few years, the consequence would prove ruinous to the commercial part of this Province, and very hurtful to the merchants of London, shippers of goods to this country, besides the loss of so valuable a branch of trade in Great Britain. * * * * Last year the passes for the Indian goods were given out so late that it was impossible to forward goods to the places of destination, especially in the North-West. For that reason, those concerned in that quarter joined their stock together, and made one common interest of the whole (referring to the company of which Mr. Peter Pond had the management), as it continues at present, in the hands of the different persons or companies, as mentioned at foot of this. The canoes for the North-West are commonly the first sent off, and, indeed, the earlier all the canoes, bound up the Grand River, go off, the better. The North-West is divided into sixteen shares, all of which form but one company at this time, as follows:

“ Todd & McGill, 2 shares: Ben. & Jos. Frobisher, 2 shares: McGill & Paterson, 2 shares: McTavish & Co., 2 shares: Holmes & Grant, 2 shares: Wadden & Co., 2 shares: McBeath & Co., 2 shares: Ross & Co., 1 share: Oakes & Co., 1 share.”

This company, of which Mr. Peter Pond was manager, was the germ from which sprang the great North-West Company, that, in a few years, extended its discoveries and trade to the Arctic and Pacific Oceans. It seems that the same delay in furnishing passes for the canoes, to which Grant refers in his letter, occurred again in 1780, and on the 11th May, the





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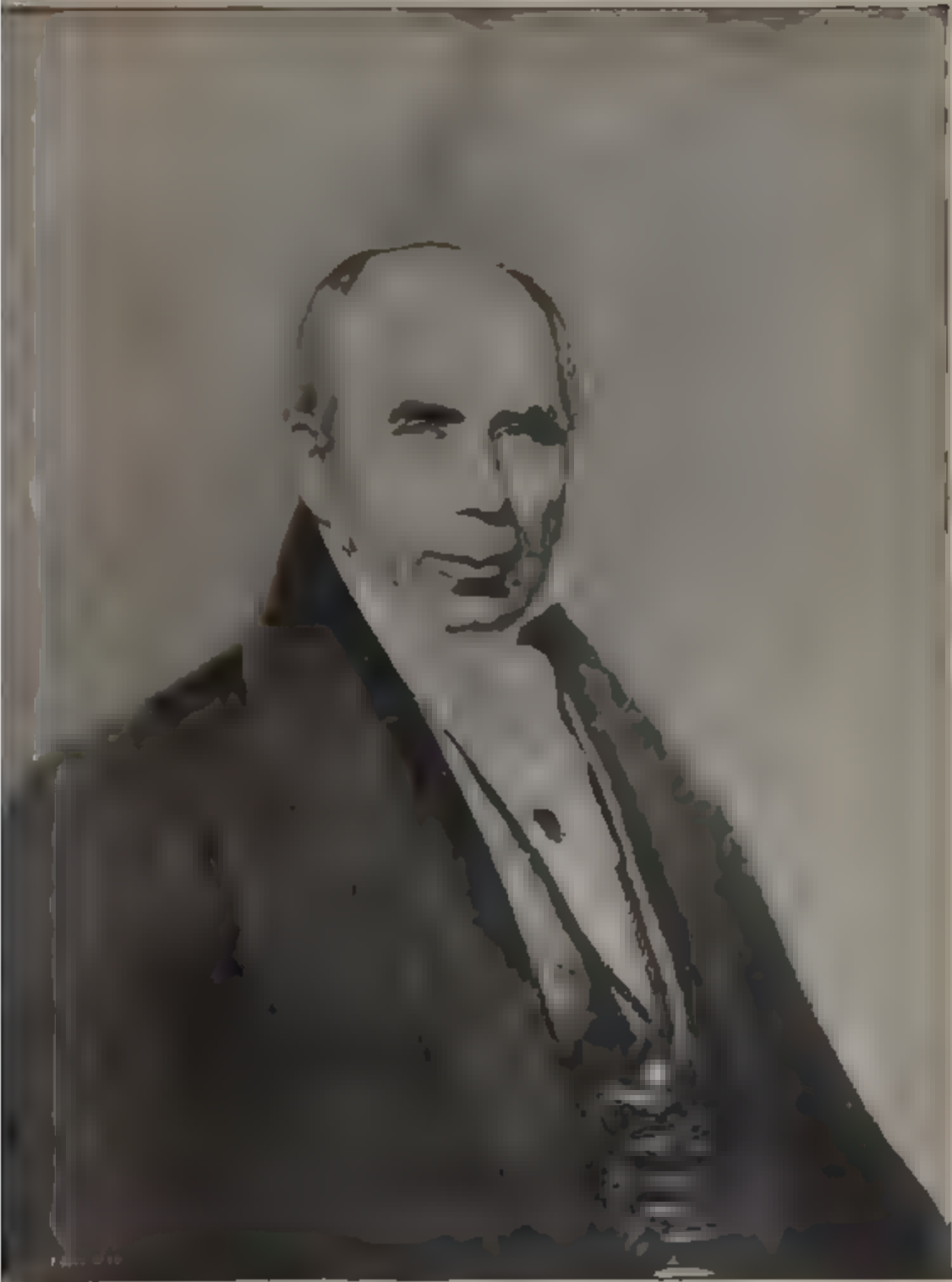
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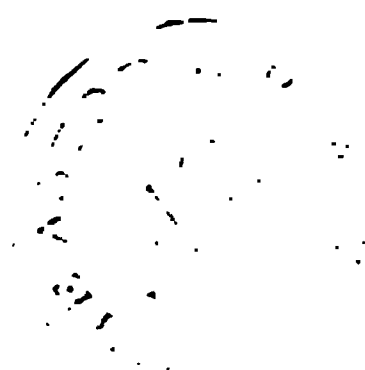
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John Stuart, Esq .
Chief Factor North-West Company



ur traders presented the following memorial to General Haldimand. The document is here given in full, because it shows some of the difficulties under which fur trading was conducted in the North-West in those days:

TO HIS EXCELLENCY,

FREDERICK HALDIMAND, Etc., Etc., Etc.

The Memorial of the Merchants and Traders from Montreal to the Great Carrying Place in Lake Superior, and the interior country, commonly named the North-West.

That your memorialists have, for a number of years past, carried an extensive and valuable trade into the parts from whence the annual turns have for some years been esteemed at fifty thousand pounds sterling in furs, which have served to remit to Great Britain in payment of the manufactures imported from the Mother country.

That there is usually and actually employed in that country near to three hundred men, who generally arrive from the interior parts of the Great Carrying Place from the 10th June to the 10th July, but from the length of the voyage and barrenness of the country, added to the smallness of the canoes and innumerable carrying places, are reduced from want of provisions to very great misery and distress, which has constantly obliged your memorialists under the dutiful necessity of sending canoes with provisions very early from Michilimackinac, in order to meet the canoe men of the distant posts, without which precaution great part of their property, after being converted into furs, must have been left and lost to them, and a more painful circumstance might have happened in the death of those employed in that adventurous business.

That they are well informed last fall from their correspondence at Detroit and Michilimackinac, that no provisions of any kind will be allowed to go from thence for supplying the Trade to the North-West, which heretofore was the case, and, therefore, your Memorialists have taken the precaution to provide Indian corn, pease, flour, etc., to send from hence for that purpose.

That the length of the voyage to the Grand Carrying Place is, at least, four hundred and fifty leagues, and from thence to the distant posts above six hundred more, which cannot be performed in less time than six months, and sometimes it happens that winter sets in before your Memorialists can arrive at the Factories where they intend to pass the winter, and when that unfortunate circumstance takes place, there are instances of several having starved, and even so direful have the consequences been as

to occasion the casting of lots for an unhappy victim to serve as food for his more unhappy companions.

That your Memorialists have been encouraged to continue in this trade from constantly finding a facility to carry it on, in the ready zeal of Government in granting passes and licenses to that effect, and they had reason to hope, from the notification which your Excellency was pleased to give Your Memorialists some time ago that no let or hindrance to their departure would have taken place this spring, but, notwithstanding lists of the canoes, goods, and number of men, were immediately given into Mr. Gray's office, to be forwarded to Your Excellency, Your Memorialists have heard nothing more on the subject since that time.

Your Memorialists, from the causes set forth, are under the most anxious apprehensions for the lives of their people employed in the trade, and fear greatly that they may suffer very much in a loss of their property, unless Your Excellency is pleased to grant immediate permission for them to send off their canoes with the goods and provisions intended for the purpose of continuing that extensive and valuable branch of business and they beg leave to assure Your Excellency that with all the industry that can be exerted in collecting the men who are hired, from the different parts of the country. supposing the passes to be here at this hour, it would still be the twentieth of this month before the canoes could be sent off, and it is against the interest, and of course the wish, of any North-West traders to remain here so late.

Your Memorialists cannot have the smallest doubt of Your Excellency's good will and zeal to encourage the commercial interest of the Province over which you preside, and particularly of (that) which lies at a great distance from the frontiers of the unnatural rebel States of America. Therefore, submitting their case to Your Excellency's consideration, they humbly, and most earnestly, request speedy relief in the premises, and Your Memorialists, as in duty bound shall ever pray.

MONTREAL, 11th May, 1780.

J. PORTEOUS
HOLMES & GRANT,
SIMON MCTAVISH,
CHARLES GRANT,
GEO. McBEATH.

TODD & MCGILL,
BENJ. & JOS. FROBISHER.
MCGILL & PATERSON.
FORREST OAKES,
ADAM LYMBURNER

Notwithstanding the success, as reported, of the Pond expedition and others, the position of the traders in the North-West continued to be very bad: a fact which arose in a great measure from the evil conduct of some of them, and their

quarrels with the Indians, resulting in frequent fights. About this time, a sad occurrence took place which will show the state of feeling that existed even amongst the better class of traders. In 1780, a number of these agreed to send out an expedition on joint account, and a Mr. Wadin and Mr. Pond were selected to take charge of it,—two men of opposite characters, who could not agree. One day, about the beginning of 1781, Mr. Pond and his clerk were invited to dine with Mr. Wadin, and the latter, during the night following the dinner, was shot in the thigh, from which it is said, he bled to death, and it was supposed that Mr. Pond and the clerk committed the deed. They were afterwards tried in Montreal for the murder, and acquitted, but a strong feeling existed in the mind of the public that they were guilty.

Little trading was done after this, owing to the continuance of the smallpox amongst the Indians, until the winter of 1783-4, when, the prospects having become brighter, a number of merchants of Canada, engaged in the fur trade, formed a junction of interests under the name of the North-West Company. The management of this association was placed in the hands of Benjamin and Joseph Frobisher and Simon McTavish, an arrangement which was not satisfactory to Mr. Peter Pond, one of the parties to the formation of the company. He therefore prevailed upon Mr. Peter Pangman to join him in forming a rival scheme, but, before this was accomplished, he made terms with the North-West Company. Mr. Pangman, however, and his associates continued their opposition until 1787, when the rival concerns were united in one, and matters went smoothly for over ten years, until in 1798, differences again occurred, and a number of the partners seceded from the parent association, and formed the XY Company.

In 1801, Dominic Rousseau, of Montreal, sent a party of traders under one Hervier, who, on reaching Lake Superior, were set upon by servants of the North-West Company, and obliged to return, at considerable loss to the undertaking. In 1806, Mr. Rousseau, in company with a Mr. Delorme, made another attempt, but was again driven back, Mr. Delorme being forced to return to Montreal, leaving all his goods behind him. This was the last instance of a private merchant attempting to send goods from Montreal into the North-West for the purpose of trading.

To the fur traders, in a large measure, belongs the honor of having saved Upper Canada from the grasp of the Americans. The aid they rendered to General Brock is a matter of history, and, although the North-West Company obtained the chief credit of having assisted in the capture of Michilimackinac, the work was done principally by traders, independent of that Company. Among those, may be mentioned Mr. Robert Dickson and Mr. Jacob Franks, who brought forward a strong body of Sioux Indians, to assist the Canadians, and the voyageurs commanded by Colonel Crawford, and other brave officers also did good service to Canada, alternating their time as canoe men in the fur trade, and volunteers in the service of Canada.

But from 1798 the fur trade may be said to have passed from the hands of private individuals into those of companies, and the fur traders became the servants of the latter.



CHAPTER VII.

THE FUR COMPANIES.

THE first association for the carrying on of the fur trade, of which we have any record, was the Beaver Company, established in 1628 or 1630, but there is little known of its operations. In the previous chapter we traced the history of the fur traders down to the year 1798, when the last attempt at individual trading from Montreal was made, and we will now take a glance at the fur companies, the outcome of that system. When the French lost possession of Canada in 1762, the "*Coureurs des Bois*," unaccustomed to the ways and manner of doing business of the English, were slow at first to associate with them, but it was not long until they overcame this feeling, and grew to be as active in fighting the battles of the merchant fur traders, as they had formerly been in their own quarrels. The Canadian merchants, however, for a long time experienced strong competition from those doing business in the United States, who induced the Indians and the "*Coureurs des Bois*" to take service with them on the American side. This, combined with the lawless doings of many of the fur traders themselves, the prevalence of the smallpox among the Indians, and the cutting off of supplies by the Americans, caused a few of the Canadian merchants to unite together, in 1779, for self protection, and the union of interests thus brought about led to the formation, in 1782, of the

North-West Company. A number of merchants in Montreal formed an association under this title, the leading persons being Benj. and Jos. Frobisher, and Mr. Simon McTavish, by whose influence mainly the coalition was brought about, but in the arrangement of this co-partnership difficulties arose, and a few withdrew, preferring to carry on a separate trade, and this state of affairs continued until 1787, when all the parties united once more under the name of the North-West Company.

In the meantime, the parties who formed the company in 1783 were active in exploring the country for the purpose of extending their operations, and in 1784 sent a party consisting of Mr. Edward Umfreville, Mr. Venance St. Germain, and six Canadians to the north for that purpose. In October of the same year the Company presented the following memorial to Governor Haldimand, at Quebec :

TO HIS EXCELLENCY FREDERICK HALDIMAND, ETC., ETC.

The Memorial of the North-West Company humbly sheweth :

“ That the Company from the Boundary described in the late Treaty
 “ of Peace, being apprehensive the United States would avail themselves
 “ of every means in their power to dispossess them of their trade to the
 “ North-West, from being entitled to an equal, if not an exclusive, right
 “ to the Grand Portage on Lake Superior and the water communication
 “ to the extent of Lake du Bois : Have, at their own expense and with
 “ the approbation of Your Excellency, sent off from the north side of Lake
 “ Superior two persons, on whom they can depend, accompanied by six
 “ Canadians, to attempt the discovery of another passage north of the line
 “ of the Boundary, to the River Ouinipique, and from the information your
 “ Memorialists have since received from them, they have every reason to
 “ expect that this passage, so much to be wished for, will be discovered
 “ and found practicable ; which will effectually secure that valuable
 “ branch of the fur trade to this Province.

“ That exclusive of this great object, your Memorialists have in view
 “ another discovery of greater magnitude, which is that of exploring, at
 “ their own expense, between the latitudes 55 and 65, all that tract of
 “ country extending west of the Hudson's Bay to the North Pacific Ocean,

“of which surveys shall be taken, so far as it may be practicable, and
“such surveys, with remarks thereupon, respecting the nature of the
“country, and the rivers which discharge their waters into that sea be-
“tween those latitudes together with every other information that can be
“collected from the natives, shall be laid before the King’s Governor for
“this province, to be by him transmitted to His Majesty.

“That the Company’s servants, as before mentioned, are now ac-
“tually employed in the first of these discoveries, and the latter, which
“must be considered as an object deserving of every encouragement from
“the Government, they are ready to undertake by such of their servants
“and other persons who are qualified to carry their intentions into
“execution.

“That your Memorialists request Your Excellency will be pleased to
“represent to His Majesty’s Ministers the value and importance of these
“discoveries, and the propriety of granting to the Company an exclusive
“right to the passage they may discover from the north side of Lake Su-
“perior to the River Quinipique ; and also of the trade to the North-
“West either by that passage or by the present communication of the
“Grand Portage for ten years only, as a reward for their services and in
“consideration of their making these extensive and valuable discoveries
“at their own expense

“Your Memorialists would not presume to ask for this exclusive right
“of trade to the North-West, if it could prove injurious to individuals, or
“hurtful to this Province in general ; but, on the contrary, they are the
“only persons who have any interest or connection in that country ; con-
“sequently, no one can be injured by it, while it will give them the
“opportunity of making the discoveries they propose, and pursuing the
“most proper measures, suggested by long experience, to supply the
“natives abundantly with every necessary they require, by which only,
“and a well regulated system in that long chain of connections, the
“North-West business is capable of being extended.

“Your Memorialists therefore request, that until His Majesty’s
“pleasure is known, that Your Excellency will be pleased to suspend the
“granting of passes for the Grand Portage, or the passage they are
“attempting to discover from the north side of Lake Superior to the
“River Quinipique, should they be applied for, and that you will be
“pleased to signify the same to the officer commanding at Michilimakinac,
“to the end, that no person may have cause to complain, under a pretence
“of having property in the country, if the Company should obtain for the
“considerations now laid before Your Excellency, an exclusive right to
“the trade from Lake Superior to the North-West.

“Your Memorialists pray Your Excellency will take the merit of
“their memorial into your consideration, and that you will be pleased to

“recommend to His Majesty’s Ministers to grant to the North-West
“Company (of which your Memorialists are directors), an exclusive
“privilege of trade from Lake Superior to that country, for ten years
“only, as a reward for discovering a new passage to the River Ouinipique,
“and thereby effectually securing to this Province the fur trade to the
“North-West. And in consideration also of exploring at their own ex-
“pense, between the latitudes 55 and 65, all that tract of country west of
“Hudson’s Bay, to the North Pacific Ocean, and communicating to
“Government such surveys and other information respecting that
“country, as it may be in their power to obtain.

“And your Memorialists, as in duty bound, will ever pray, etc., etc.”

BENJ. & JOS. FROBISHER,

Directors of the North-West Company.

MONTREAL, 4th October, 1784.

In a letter accompanying this Memorial, Messrs. Frobisher give some particulars of their trading operations, prior to the formation of the North-West Company, which are interesting. They say:—“The first adventurer went from Michilimakinac, in the year 1765. The Indians of Lake La Pluye, having then been long destitute of goods, stopped and plundered his canoes, and would not suffer him to proceed farther. He attempted it again the following year, and met with the same bad fortune. Another attempt was made in the year 1767 : they left goods at Lake Pluye, to be traded with the natives, who permitted them to proceed with the remainder, and the canoes penetrated beyond Lake Ouinipique. From this period, the trade of that country was attempted by other adventurers, with various success, and we were among the number, in the year 1769, when we formed a connection with Messrs. Todd & McGill, of Montreal, for the purpose of carrying on the business, but the Indians of Lake La Pluye, still ungovernable and rapacious, plundered our canoes, and would not suffer any part of our goods to be sent farther. Before we could be acquainted with this misfortune, our goods for the year follow-

ing were at the Grand Portage, and we were then too far engaged to hesitate for a moment. A second attempt was made, in which we were more successful. Our canoes reached Lake Bourbon, and thenceforward we were determined to persevere. Taught, however, that separate interests were the bane of that trade, we lost no time to form, with those gentlemen and some others, a company, and having men of experience and abilities to conduct it in the interior country, the Indians were soon abundantly supplied, and, being at the same time well treated, new posts were discovered as early as the year 1774, which, to the French, were totally unknown; and, had we not been interrupted by new adventurers, the public in a few years would have been well acquainted with the value and extent of that country, of which, even at this time, our knowledge is very imperfect. These adventurers, consulting their own interest only, without the least regard to the management of the natives, and the general welfare of the trade, soon occasioned such disorder that those who had the most substantial prospects lost no time to withdraw their property, since which, this business, though not altogether neglected, has been carried on under great disadvantages, occasioned by a variety of interests, sometimes partially, and at other times totally unconnected with each other; insomuch that, at the latter end of the year 1782, those who had persevered were no more than twelve in number, and being convinced, by long experience, of the advantages that would arise from a general connection, not only calculated to secure and promote their mutual interests, but also to guard against any encroachments of the United States on the line of boundary, as ceded to them by treaty, from Lake Superior to Lake du Bois, they entered upon and concluded articles of agreement under the

title of the North-West Company, of which we were named directors, dividing it into sixteen shares, of which each proprietor holds a certain number, proportionate to the interest he then had in the country."

The Messrs. Frobisher then point out in their letter that having every reason to expect from the line to be drawn, explained in the late treaty of peace, that the United States would become possessed of the Grand Portage at the north-west extremity of Lake Superior, which, unless another passage was discovered, would result in the loss to Canada of the North-West fur trade, as the Grand Portage was the key to that part of the country, and, that urged by these reasons their company had sent a party to discover, if possible, another route.

In a subsequent part of the letter, the following interesting particulars were given, relating to the manner of conveying goods from Montreal to the North-West:—"The inland navigation from Montreal, by which the North-West business is carried on, is perhaps the most extensive of any in the known world, but it is only practicable for canoes, on account of the great number of carrying-places. To give Your Excellency some idea of which, there are upwards of ninety from Montreal to Lake du Bois only, and many of them very long ones. Two sets of men are employed in this business, making together upwards of 500, one-half of which are occupied in the transport of goods from Montreal to the Grand Portage in canoes of about four tons burden, navigated by eight or ten men, and the other half are employed to take such goods forward to every post in the interior country, to the extent of 1,000 to 2,000 miles and upwards, from Lake Superior, in canoes of about one ton and a half burden, made express

for the inland service, and navigated by four to five men only, according to the places of their destination. The large canoes from Montreal always set off early in May, and as the provisions they take with them are consumed by the time they reach Michilimakinac, they are necessitated to call there, merely to take in an additional supply, not only for themselves but also for the use of the canoes intended for the interior country, and the consumption of their servants at the Grand Portage, but as these canoes are not capable of carrying the whole of such provisions, it thence becomes necessary to have a vessel, or boats, upon Lake Superior for that transport only, and the utmost dispatch is required, that everything may be ready in point of time to send off their supplies for the interior country, for which purpose the goods, provisions, and everything else required for the outfits of the year, must be at the Grand Portage early in July: for the carrying-place being at least ten miles in length, fifteen days are commonly spent in this service, which is performed by the canoe men, who usually leave the west end from the 15th July to the 1st August, according to the distances of the places they are intended for. Their general loading is two-thirds goods, and one-third provisions, which, not being sufficient for their subsistence until they reach winter quarters, they must, and always do, depend on the natives they occasionally meet on the road for an additional supply: and when this fails, which is sometimes the case, they are exposed to every misery that it is possible to survive, and equally so in returning from the interior country, as in the spring provisions are more scanty. In winter-quarters, however, they are at ease, and commonly in plenty, which only can reconcile them to that manner of life, and make them forget their suf-

erings in their annual voyage to and from the Grand Portage."

The value of the North-West Company's trade in 1784 is shown in the following words: "The property the Company have already in that country, exclusive of their houses and stores, and the different posts, as appears by the settlement of their accounts this present year, amounts to the sum of £25, - 303, 3s. 6d. currency; and their outfits for the next spring, which will be sent from Montreal as soon as the navigation is open, will not fall much short of that sum, so that the Company will have an interest at the Grand Portage, in July next, of about £50,000 original cost in furs, to be sent to Montreal by the return of their canoes, and in goods for the interior country, from which Your Excellency may judge of what may be expected from that trade, when in our power, by an exclusive right for ten years, to explore the country and extend it."

Mr. Peter Pond, the following year, addressed another memorial to Lieut.-Governor Hamilton, at Quebec, on behalf of the North-West Company, recapitulating in a measure and supporting the arguments of the Frobishers, adding that both Russia and the United States were making preparations to secure the fur trade on the north-west coast of North America. In the same year, Benj. Frobisher suggests that a carrying-place should be established at Toronto, as the settlers from that vicinity, in the course of a few years, he stated, would be in a situation to supply the provisions wanted by the traders for the northern countries. Numerous other suggestions were also made to the Government about this time, by members of the North-West Company, with the object of preserving the fur trade to Canada, and preventing it from falling into the hands of the Americans.

One point raised by the North-West Company was the in-

sufficiency of the means of transport for their goods on the lakes by the King's ships, private vessels not being suffered to navigate the inland waters, and in connection with this subject, General Haldimand submitted the following recommendation to the Right Honorable Lord Sydney :

"The navigation of these lakes by the King's vessels only, is an object so nearly connected with the entire preservation of the fur trade, that I have withstood various applications for building and navigating private vessels and boats upon the lakes: the rivers and outlets from them to the American States are so numerous that no precautions which could be taken, in that case, would be effectual in preventing a great part of the furs from going directly into the American States, and there is but little doubt that traders will carry their commodities to the best market, whatever may be the consequences: indeed several instances have already occurred since the peace, of their smuggling furs even from Montreal over Lake Champlain into the States, notwithstanding the vigilance of the civil and military officers. What then would be the case upon the remote lakes may easily be conceived. I would, therefore, recommend by all means that a sufficient number of King's vessels be kept upon the lakes, and all other craft, whatever, prohibited, not only for the foregoing reasons, but in all events to preserve a superiority upon the waters in that country."

The North-West Company, therefore, not only failed in obtaining permission to navigate their own vessels on the lakes, but were also unsuccessful in securing the exclusive privileges they sought.

In 1789, Mr. Isaac Ogden, in a letter written from Quebec to Mr. David Ogden, in London, when giving some account of the commerce in the North-West, states as follows: "From the

end of the Portage, at the head of Lake Superior, all the lakes and waters, as high up as lat. 58° , and long. 124° , set first to the north-west and north, and then take a south-easterly and south course, and empty into York Factory (Hudson's Bay). These lakes and rivers are almost innumerable. Some of them are very large, such as the Lake Winnipeg, Lake of the Woods, and others. The mouth of York River lays in long. 94° west, and lat. 57° . It is an extensive, large river, setting nearly west, and is supplied by the above lakes and rivers, which fall into it from the north and south. The Hudson's Bay Company have posts several hundred miles west from them, but none to the northward."

Thus showing that the Hudson's Bay Company were then extending their trading operations far into the interior. Mr. Hearne, as we have already shown, had discovered and explored the Coppermine River, and afterwards, in 1770, established the post at Cumberland House. From that time the extension of the Hudson's Bay Company's trade in the interior seems to have been rapid, and their opposition to the North-West Company strong. During this period of rivalry between the two powerful associations, the officers of the respective companies were not unfriendly to each other, although there was keen competition between them in the way of trade, but socially they frequently met each other in the most hospitable manner.

While the North-West Company were memorializing the Government in regard to proposed explorations into the interior, and offering their services for that object, the Hudson's Bay Company were not inactive in the same direction. Early in 1790, we find it stated that Mr. Wegg, the Governor of the Company, intimated to the Government that the directors had unanimously determined to send their sloop of about 90 tons

at their own expense, if a proper person were sent in her, to examine if any outlet could be found from Hudson's Bay to facilitate the communication with the west coast. They also wished that two proper persons might be sent by Government to travel inland to ascertain the shortest communication by the lakes and rivers, and offered to defray any reasonable expense of the undertaking.

Thus the two great fur companies were at this time in the van of exploration in the North-West, and to them the opening up of that vast region is chiefly due.

In 1798, differences again occurred among the partners of the North-West Company, which resulted in a number of them seceding and forming themselves into the X.Y. Company. The effect of this was additional competition in the fur trade for several years. In 1799, a strong contest was entered into by those rival companies for possession of land at Sault Sainte-Marie, and, from the papers relating thereto, it would appear that the North-West Company were the first to construct a canal at that point. The following abstract is taken from a memorial presented by them in 1802 on the subject:—"That, contemplating the advantages of a free and unobstructed passage between the Lakes Huron and Superior, your memorialists, in the year 1797, caused a proper survey to be made on the British side of the Falls of St. Mary: the sixth part of the expense of which, amounting to about forty-five pounds, was defrayed by the house of Messrs. Forsyth, Richardson & Co. That in consequence of the report made of the said survey, your memorialists have, since that period, actually cut a road forty-five feet wide across the carrying-place, and opened a canal upwards of three thousand feet in length, with a lock which raises the water nine feet, and have

also erected thereon a saw mill, storehouses and other necessary buildings for facilitating the navigation of said canal."

Messrs. Phyn, Inglis & Co., the London agents of the XY Company, opposed the application of the North-West Company for a grant of land at the Sault, and the Duke of Portland, writing on the 13th March, 1800, to Lieut.-General Hunter, agreed with them. He says:—"I am strongly inclined to be of opinion that it must be very much for the benefit of the fur trade, that about four or five leagues, or, perhaps, the whole strait in question, should be forever retained in the hands of the Crown."

With the formation of the XY Company, the competition in the fur trade became very bitter, and matters between the contending parties began to wear a formidable appearance. Hostilities broke out between the agents of the respective companies: alliances were formed with the Indians, and the whole trade was carried on in a reckless and extravagant manner.

In 1793, the Hudson's Bay Company's servants made their appearance at Red River, an expedition equipped at Albany on James Bay, being conducted there by Mr. Donald McKay who, on his arrival, built a post alongside of those of the North-West and XY Companies. About this time, according to Sir Alexander McKenzie, the Indian tribes in the North West were divided about as follows: At Nepowe and South Branch, thirty tents of Bristineaux, or 90 warriors, and sixty tents of Stone Indians, 200 warriors, whose hunting-ground extended up to the Eagle Hills; at Forts George and Augustus 80 tents, and, on either side of the river, 200 tents Crees. In the same part of the country were 140 tents of Stone Indians not quite one half inhabiting the west woody section, and

their whole number being not less than 450. The Surcees, on the north branch, 35 tents, and opposite to these, on the eastward, near the head waters of the south branch, were the Peigans, numbering from 1,200 to 1,500 men. Next were the Blood Indians, to the number of 50 tents, or 200 men; and the Blackfeet, numbering about 800. Then, the Big-Bellied Indians had about 600 warriors, but the Crees, it is stated, although their numbers are not given, were the most numerous tribe of Indians in the North-West, and occupied a wider range of hunting-grounds than any other of the aboriginal nations. With these large bodies of Indians, the three fur companies carried on an extensive trade, and in the prosecution of it the rivalry became so bitter that outrages on each other, and bloodshed, ensued. As an instance of this, in the winter of 1801-2, Mr. John McDonald, who managed the affairs of the North-West Company in Athabasca, had in his employ a clerk named King, and in the service of Mr. Rocheblanc, the agent of the XY Company, in the same district, was a man named Lamotte. During the course of the winter, two Indians arrived as deputies from a band with which both companies had had transactions, to inform the traders that they had furs ready at an encampment within four or five days' march. King and Lamotte, on learning this, set out immediately to secure the furs due their respective companies, and arrived at the Indian camp about the same time. King, however, having the stronger force, succeeded in getting possession of all the furs except one bale, which fell to Lamotte. The former, not satisfied with his success, resolved to take the one bundle which Lamotte had, and went for that purpose with an armed force to his tent. Lamotte warned King not to touch the bundle of furs, and, when he persisted, shot him

dead. It was only the interference of the Indians that prevented Lamotte from being killed on the spot by King's men and, although he was afterwards arrested, he was never tried but was kept in prison until the coalition of the two companies took place, when he regained his liberty.

This outrageous proceeding gave rise to the passing of an Act in 1803, 43 Geo. III., Cap. 138, commonly called the "Canada Jurisdiction Act." The professed object of this act was to remedy a defect of the law, arising from the circumstance that some parts of British America were not within the limits of any British Colony, so that offences committed there could not be tried by any jurisdiction whatever. In order to remedy this evil, the courts of law in Canada were allowed to take cognizance of any offences which might be committed within certain districts, termed in the act, the "Indian Territories." The act was very vague in meaning as to the particular territories to which it was meant to apply, but it showed that public attention was being attracted to the disturbances taking place between the fur companies.

The first trial under the act in Montreal was, when one John Mowat, in the employ of the Hudson's Bay Company, was convicted of manslaughter for shooting Eaneas MacDonnel, a clerk of the North-West Company, in self-defence, but the circumstances attending this trial showed very clearly that the North-West Company, in those days, had too much influence in Canada over bench, bar and public opinion, for any opponent of it to obtain a fair trial.

In 1805, a coalition of the North-West and XY Companies took place, and the whole concern was divided into 100 shares, of which a large proportion was held in London and Montreal by mercantile houses which had contributed capital, the bal-

ance being held by the wintering partners, some of whom possessed one, and some two shares. A general meeting of the Company was held every summer, at the rendezvous at Fort William, on Lake Superior, where all matters were decided by a majority of votes, each share giving one vote, and the absentees voting by proxy. At the general meeting, the operations to be carried on the succeeding year were arranged, and the stations to be assigned to each individual determined. At the same time the accounts of the year were settled, each partner bringing in a statement of the transactions of the department he had in charge.

When a wintering partner had served a number of years he was at liberty to retire from the concern, and, without doing any further duty, to continue to hold an interest in the capital of the Company, and also, for seven years, to draw one half the profits of the share he had held. Upon the retiring of a wintering partner, the vacancy was filled by the election of another in his place, each candidate being required to be of good character, and to have served the Company a certain number of years, his ability as a trader and manager of a post being well considered. In this way the clerks of the Company, in the hope of promotion, were excited to an activity and zeal hardly inferior to the partners themselves. Nothing, certainly, could be devised more admirably calculated than this system to infuse activity into every department of so extensive a concern, and to direct that activity in the most effectual manner, and in complete unity of purpose towards the common interest.

The annual meeting of the Company at Fort William was an event of great importance to the wintering partners, who, like chieftains of the olden time, repaired with a retinue of

servants to the place of gathering. The leading partner Montreal travelled to Fort William in sumptuous state large canoes, freighted with every convenience and manned by Canadian voyageurs, who were perfectly fitted to overcome the difficulties of such a trip, and it was pleasant. Cooks, bakers, and other servants accompanied these annual trips, and the supplies carried with them included delicacies of every kind, and choice wines for the banquets which attended the great convention.

In a large wooden building at Fort William was the council hall of the Company, and near it the band chamber. The house and vicinity swarmed with traders, voyageurs, Indians, half-breeds, etc., who feasted sumptuously and drank deeply during the time the council was being held. The deliberations of the partners were, however, conducted with much dignity, and the business affairs of the Company were well considered and carefully adjusted. But when business was over and the feasting began, the scene of revelry was beyond description. They were a hard-living, hard-drinking set of men, those old Nor'-Westers; keen to take advantage where a fur trade was in question, they were ever ready to extend the hand of friendship and hospitality to their competitors. The annual meeting of the council at Fort William was, to the wintering partners, a grand holiday season, to which they always looked forward, as the mariner, after a long voyage, anticipates his home-welcome, and, while the affairs of the Company were strictly attended to at the council board, the balance of the time was spent in revelry and feasting. The retainers, in the shape of voyageurs, half-breeds, hunters, and traders, were not slow in following the example of their superiors, and the scene, therefore, around the council

was sometimes one of pandemonium. The council at an end, each wintering partner took his way, accompanied by his "people," to his far-off post, with full instructions how to proceed during the next twelve months: and the leaders or agents living in Montreal embarked in their canoes for their home on the St. Lawrence, where they lived in lordly and hospitable style, surrounded by all the comforts and luxuries of the day, while their wintering partners roughed it in the far-off north.

While the North-West Company were pushing their way and extending their operations in the wilds of Canada, east of the Rockies, the Americans south of the boundary line were not idle, and the Mackinaw Company, American Fur Company and South-West Company followed each other in quick succession, having for their object the extension of the fur trade along the north-west coast, and in some of these enterprises, it is said, a number of the partners of the North-West Company were interested.

Sir Alexander McKenzie had returned from his four years' journey to the north, during which he discovered and explored the great river which bears his name, and on his return he proposed in 1802 (before the coalition of the North-West and XY Companies), the formation of a company to carry on the fishery and fur trade in the interior, and on the west coast of America. In Article 3 of his proposition the following words appear:—"To obtain from the Hudson's Bay Company, if it has legal power to grant or refuse it, a '*licence of transit*,' irrevocable and unlimited: for all goods, wares and merchandise, the growth, produce and manufacture of Great Britain and of America, in and outwards through all the seas, bays, ports, rivers, lakes and territories within the limits of its

charter," showing that the Hudson's Bay Company were then upholding their privileges in the interior as well as in the country bordering on the Bay. Sir Alexander McKenzie's project, however, came to naught.

The North-West and XY Companies having joined hands in a keen rivalry, accompanied by outrages and bloodshed, broke out between the re-organized concern and the Hudson's Bay Company. The following instances will give some idea of the extent to which this lawless conduct was sometimes carried. In May, 1806, William Corrigan, in the service of the Hudson's Bay Company, stationed at Bad Lake, near Fort Albany, had his house broken into, and, while he and his men were seized by a force of North-West Company servants, the furs were stolen. Corrigan's post was broken into and robbed on several subsequent occasions, and about the same time, John Creech, a Hudson's Bay Company trader, and his men, occupying a post called Big Fall, near Lake Winnipeg, were assaulted and some of them dangerously wounded, while the place was being robbed of furs and goods. In 1808, Mr. William Linklater, also in the service of the Hudson's Bay Company, traded some valuable furs from the Indians, and was bringing them to the post at Rein Deer Lake, when a Mr. Campbell, of the North-West Company, and some men, stopped and robbed him of all that he had. Instances of the strife that existed between the servants of the two companies would, of themselves, fill a large book, but the few we have given will show the extremities to which they went. Secluded for years from all society, and far removed from the restraints of law, these men were often guilty of acts of injustice, oppression, and even cruelty against their weaker neighbors, who had no means of obtaining redress, and the one thought uppermost in their

minds seemed to be the success of their respective companies in procuring the largest amount of furs, whether obtained honestly in trade, or by violence.

The North-West Company's officers were exceedingly active and enterprising, even more so than those of the Hudson's Bay Company. It is estimated that about this time they had over 2,000 employes, the average wages of each being about £40 per annum. But this was paid chiefly in goods supplied by the company at a large profit, instead of cash, which reduced the total actual amount paid out for wages each year.

In their dealings with the Indians, the North-West Company pursued the policy of giving credit in advance, a custom which prevailed also with their rivals, and which, at times, was advantageous to the natives, although it mostly acted to their disadvantage. The improvident character of the Indian caused him to be often in want of the necessaries of life, when he had nothing to offer in exchange for them and on these occasions the fur traders came to his rescue, very much, however, on the same line that the pawnbroker comes to the aid of the needy, and the Indians were made to pay dearly for their advance. The worst feature was that the North-West Company frequently intimidated the Indians to prevent them from selling to others, but on the whole, if it had not been for the introduction of intoxicating liquor among the tribes, the advent of the traders would have been beneficial.

It was at one time suggested by some friends of humanity in England that an Act of Parliament should be passed to restrain the sale of spirituous liquors to the Indians in British America, and the proposal was communicated to the directors of the Hudson's Bay Company, who expressed their concurrence in the proposition, as, in answer to queries on the subject

sent out to their officers in the North-West, the opinion was expressed that trade would not suffer by the measure. The North-West Company, it seems, were not so much in favor of the proposition, and influence was brought by them to cause the matter to be dropped.

Lord Selkirk, in his sketch of the British fur trade, was particularly severe upon the North-West Company, and argued that the national interest of Great Britain would not be promoted by an adherence to their system of carrying on business. He contended that they were opposed to colonization, because they considered it would injure the fur trade. Further than that, he held that their only object was to obtain a great immediate return of furs, without any regard to its permanent continuance, and that a war of extermination was being carried on against all the valuable fur-bearing animals. Lord Selkirk, at the time, was arguing against free trade in the North-West, holding that it gave rise to disturbances, bloodshed, extermination of fur-bearing animals, and injustice to the Indian tribes, and certainly there was truth in his arguments. The North-West Company, however, had friends who replied to his strictures. Sir Alexander McKenzie, in his able reply, accused the early traders who penetrated into the country immediately after the conquest of Canada, of violence and excesses, and showed that the North-West Company was formed to repress those irregularities and enormities, and although subsequently scenes of violence were to a certain degree renewed, owing to the opposition of the fur companies to each other, as soon as a junction of the two parties took place they immediately ceased, and he contended that until Lord Selkirk appeared upon the scene, tranquillity and peace were universally established. Sir Alexander Mc-

enzie is not borne out, however, in this statement by facts, as we have shown, as there was more or less disturbance in the North-West until the amalgamation of the Hudson's Bay and North-West Companies took place.

With regard to the proposal to restrain the liquor traffic of the country by legislation, the friends of the North-West company held that it would be extremely difficult, if not impossible, to enforce the provisions of an Act of Parliament which might be readily obeyed by one class of persons and evaded by another. They stated, too, that there were certain Indians, or rather mixed population of Indians and Canadians on the plains, on whom the traders were dependent for food, and with whose habits and customs it would be dangerous suddenly to interfere. In other words, the North-West company looked upon the restraint of the liquor traffic as impracticable, and not desirable from a trade point of view. They claimed that they had endeavored to restrain the sale and use of intoxicants without legislation, and had so far succeeded that in two years time the quantity introduced into the North-West had been reduced from 50,000 to 10,000 gallons.

About the year 1810, the North-West Company, acting upon the suggestion of Sir Alexander McKenzie, pushed one or two posts across the Rocky Mountains, into a part of the country which he had previously explored, but in this enterprise they were at a great disadvantage, owing to the distance they had to carry their goods. They had no good port on the Pacific where they could obtain their supplies by sea, but they doggedly persevered in their attempt, until, about the year 1815, they were in complete occupation of the Columbia river and its chief tributary streams, holding their posts and carry-

ing on a trade in United States territory, in defiance of the prohibitory law of Congress which was then in force,

And now, having reached this stage in the affairs of the North-West Company, it will be well to take a glance at those of the Hudson's Bay Company.



CHAPTER VIII.

THE HUDSON'S BAY COMPANY.

IN previous chapters we traced the different discoveries in Hudson's Bay, and the conflicts between the English and French for possession of that great inland sea. The result, as already shown, of the expedition under Captain Zachariah Gillam in 1668, was the granting of the Hudson's Bay Company's charter on 2nd May, 1670, to Prince Rupert and his associates. Prince Rupert was a most earnest and generous patron of all promising adventures, and, having given his countenance and assistance to the expedition of the *Nonsuch*, it was a natural consequence that he should connect himself prominently with the enterprise of the Hudson's Bay Company and interest himself in obtaining the charter from King Charles II.

The motive assigned for the royal gift was, "that the corporators have at their own great cost and charges undertaken an expedition for Hudson's Bay, for the discovery of a new passage into the South Sea, and for finding some trade for furs, minerals, and other considerable commodities, and by such, their undertaking, have already made such discoveries as do encourage them to proceed further in pursuance of their said design, by means whereof there may probably arise very great advantage to us and our Kingdom."

The original grantees named in the charter were Prince

Rupert, Count Palatine of the Rhine, Duke of Bavaria and Cumberland, &c., Christopher Duke of Albermarle. William Earl of Craven, Henry Lord Arlington, Anthony Lord Ashley, Sir John Robinson and Sir Robert Vyner, Knights and Baronets, Sir Peter Colleton, Baronet: Sir Edward Hungerford, Knight of the Bath: Sir Paul Neele, Knight: Sir John Griffith and Sir Philip Carteret, Knights: James Hayes, John Kirk, Francis Millington, William Prettyman, John Fenn, Esquires: and John Portman, citizen and goldsmith of London.

The "Rights by Charter" were specified as follows: "We have given granted and confirmed, and by these presents, for us, our heirs and successors, do give, grant and confirm, unto the said governor and company, and their successors, the sole trade and commerce of all those seas, straits, bays, rivers, lakes, creeks and sounds in whatsoever latitude they shall be, that lie within the entrance of the straits commonly called Hudson's Straits, together with all the lands and territories upon the countries, coasts, and confines of the seas, bays, lakes, rivers, creeks and sounds aforesaid, that are not already actually possessed by or granted to any of our subjects, or possessed by the subjects of any other Christian Prince or state, with the fishing of all sorts of fish, whales and sturgeons, and other royal fishes, in the seas, bays, inlets and rivers within the premises, and the fish therein taken, together with the royalty of the sea upon the coasts within the limits aforesaid: and all mines royal as well discovered as not discovered, of gold, silver, gems and precious stones to be found or discovered within the territories, limits and places aforesaid: and that the said land be from henceforth reckoned and reputed as one of our plantations or colonies in America, called "Rupert's Land:" and further, we do by these presents, for us, our heirs and

ors, make, create, and constitute the said governor and
y for the time being, and their successors, the true and
e lords and proprietors of the same territory, limits and
aforesaid, and of all other, the premises, saving always
h, allegiance and sovereign dominion due to us, our heirs
ccessors for the same: to have, hold, possess and enjoy
l territory, limits and places, and all and singular other
mises hereby granted as aforesaid, with their and every
r rights, members, jurisdictions, prerogatives, royalties,
purtenances whatsoever, to them the said governor and
y, and their successors for ever, to be holden of us, our
ad successors as of our manor of East Greenwich, in our
: of Kent, in free and common soccage, and not in
or by Knight's service: yielding and paying yearly to
heirs and successors, for the same, two elks, and two
beavers, whensoever and as often as we, our heirs, suc-
, shall happen to enter into the said countries, territories
gions hereby granted."

ough the original title to the territory and trade in
on was derived under the charter, the rights of the com-
ave in various instances received the recognition of the
Legislature as follows:

Act 14 Geo. 3, Cap. 83, entitled "An Act for making
effectual provision for the Government of Quebec in
America," in describing the boundaries of Canada, ex-
: refers to their lying northward to the southern
ary of the territories granted to the Merchants adven-
of England trading into Hudson's Bay.

Act 43 Geo. 3, cap. 138, entitled "An Act for extending
isdiction of the courts of justice in the Provinces of
and Upper Canada, to the trial and punishment of per-

sons guilty of crimes and offences within certain parts of North America, adjoining to the said provinces."

This Act referred to crimes committed in the Indian Territories, and, a doubt having arisen whether this provision extended to the territories possessed by the Hudson's Bay Company, an Act was passed, 1st and 2nd Geo. 4, cap. 66, entitled "An Act for regulating the fur trade, and establishing a commercial and civil jurisdiction within certain parts of North America," in which it was declared and enacted that the provisions of Act 43 Geo. 3, should be deemed and construed to extend to and over, and to be in full force in and through, all the territories theretofore granted to the Hudson's Bay Company.

This Act distinctly recognized the rights of the company to exclusive trade within their own territories.

The charter gave the company the power to make, ordain and constitute reasonable laws, constitutions, orders and ordinances as to them seemed necessary—to put them in use, and execute them, and at their pleasure to revoke and alter them as occasion required. It provided also for the imposing of pains, penalties, and punishments upon all offenders, and that "all lands, islands, territories, plantations, forts, fortifications, factories, or colonies, within the company's territories, were to be under the power and command of the Governor and company, their successors and assigns, and they were empowered to appoint and establish governors, and all other officers to govern them."

In pursuance of the authority thus given, the company invariably exercised all the powers of government necessary for the administration of justice in their territory, and for that purpose appointed proper officers who acted judiciously in all matters arising therein.

Several Acts of the British Legislature recognized the general rights and privileges claimed and exercised by the company. Among these may be mentioned an Act passed in the sixth year of the reign of Queen Anne, c. 37, entitled "An Act for the encouragement of the trade to America," which expressly provides that nothing therein contained should extend or be construed to take away or prejudice any of the states, rights or privileges of or belonging to the Governor and Company of Adventurers trading into Hudson's Bay.

The same proviso was also made in an Act passed in 1745, 8 Geo. 2, cap. 117, for granting a reward for the discovery of north-west passage through Hudson's Straits; and by 7 and Wm. III., cap. 22, the proprietary plantations, such as Rupert's Land, were regulated in such terms as expressly involved a parliamentary recognition of all royal grants of colonial dominion.

The validity of the Hudson's Bay charter has been questioned on several occasions, but the opinion of some of the highest authorities in England and the United States has been pronounced in its favor. The Hudson's Bay Company on the 10th June, 1814, sought an opinion respecting the Red River territory from the learned counsel, Samuel Romilly, G.

Holroyd, William Cruse, J. Scarlet, and John Bell, who replied as follows: "We are of opinion that the grant of the soil contained in the charter is good, and that it will include all countries the waters of which flow into Hudson's Bay; that an individual, holding from the Hudson's Bay Company a lease or grant, in fee simple, of any portion of their territory, will be entitled to all the ordinary rights of landed property in England; that the grant of civil and criminal jurisdiction is valid, and to be exercised by the Governor and

Council as Judges, who are to proceed according to the laws of England: that the company may appoint a Sheriff to execute judgments and do his duty, as in England: that all persons will be subject to the jurisdiction of the Court, who reside or are found within the territories over which it extends, and we do not think that the Act 43 Geo. 3, c. 138, (commonly called the Canada Jurisdiction Act), gives jurisdiction within the territories of the Hudson's Bay Company—the same being within the jurisdiction of their own Governors and Council."

Mr. Greenhow, after reciting the Royal Charter of 1670, acknowledges "that from thence it will be seen that the Hudson's Bay Company possessed by its Charter almost sovereign powers over the vast portion of America drained by streams entering Hudson's Bay."

Earl Grey, in a letter to Sir John Pelly, Governor of the Company, dated June 6th, 1850, concludes as follows:—"Lord Grey, therefore, on behalf of Her Majesty's Government, adopted the most effectual means open to him for answering the requirements of the address, has been obliged, in the absence of any parties prepared to contest the rights claimed by the company, to assume the opinion of the law officers of the Crown in their favor to be well founded." Daniel Webster says: "I entertain no doubt that these companies have a vested proprietary interest in these lands. Their title to its full extent is protected by treaty, and, although it is called a possessory title, it has been regarded as being, if not an absolute fee in the land, yet a fixed right of possession, use and occupation, as to prevent the soil from being alienated to others." John Van Buren declared: "That the occupation by the Hudson's Bay Company was lawful, and their charter per-

tual," and Edwin M. Stanton states: "For not only was the session of the Hudson's Bay Company recognized by its government, but also their absolute right to grant and convey vast and unlimited portions of territory to others."

The grounds of complaint which furnished the long-continued and embittered opposition to the company were:

"1. That the charter was granted by royal prerogative without ratification.

"2. That it was illegal for the Crown to grant a monopoly trade to a favored company of subjects.

"3. That the obligations imposed by the professed objects of the company, to search for a passage to the South Sea, and so to explore for mineral wealth, had been wholly neglected by the company, which sternly discountenanced and withstood all such enterprises when prompted by others.

"4. That a part at least of the territories claimed by the company was really exempted from the grant made to it, which recognized a possible possession by the subjects of some other 'Christian Prince.' "

It was claimed that a portion of the region had been patented in 1598, by Henry IV. of France, to Sieur de la Roche, and that, on the ground of this claim, antedating Prince Rupert's charter, the Chevalier de Troyes, in 1684, had taken and destroyed the posts of the company on Hudson and James Bays, on the plea that the territory belonged to his sovereign.

According to the report of the commissioners appointed in 1687 to consider the rival claims of England and France to Hudson's Bay, the following is the French case as presented:—they claimed "that in 1626 their King conveyed by charter to the Company of New France, the region now known as

Canada and the whole region of Hudson's Bay. The country (North-West) was also confirmed to France by the treaty of St. Germain-en-Laye, 38 years before Prince Rupert's charter. From the treaty of Utrecht in 1713, to the peace of Paris in 1763, there was no distinct boundary between the French in Canada and the territory claimed by the English in the Bay. In 1763, in the cession of Canada by France, there was no western boundary assigned to Canada, although the French claimed to the Pacific. By the eighth article of the treaty of Ryswick, in 1697, the whole of Hudson's Bay was recognized as belonging to the Crown of France. By the treaty of Utrecht, in 1713, a portion of the shores of Hudson's Bay was ceded to England. The French, by assaults in 1682 and 1686, destroyed all the forts except Albany, and held possession of York Factory, which they named Fort Bourbon, from 1697 to 1714, and in 1699 the French ambassador to England asserted the claim of his sovereign to the whole of the Bay on the north."

The English claimed:—"That the northern part of America, wherein Hudson's Bay is comprised, was discovered in the year 1497, by Sebastian Cabot, by particular commission from King Henry VII. In the year 1610, Henry Hudson, His Majesty's subject, sailed into the Straits and Bay of Hudson, took possession thereof, giving names to several places therein, by which they have been since called, and known in the maps of those parts, as well foreign as English. In the year 1612, Thomas Button, an Englishman, sailed into the said straits and bay, took possession of several places, particularly of the river of Port Nelson and territories thereunto belonging, in the name of his master, King James the First, and called the said river and port, wherein they then wintered, by the name

of Port Nelson, from the commander of the ship wherein he sailed, whose name was Nelson. In the year 1631, Capt. Luke Fox, by command of King Charles the First, made a voyage to Hudson's Bay, and, amongst other places within the said bay, he entered the river of Port Nelson, and finding there a cross which had been erected by Sir Thomas Button, with an inscription defaced, he set up the said cross again with a new inscription, declaring His Majesty's right and possession, and then named the adjacent countries upon the said river, New North Wales, as it is called to this day in the maps of America. In the year 1667, another voyage was made to the said bay, by one Zachery Gillam, an Englishman, who sailed into a river in the bottom of the bay, calling it Rupert River, in honor of Prince Rupert, who was principally concerned in that expedition with other adventurers, built a fort there, which he called Charles Fort, in honor of his late Majesty, and taking possession of the river and lands thereabouts, entered into a good correspondence and trade with the natives. In the year 1669, Capt. Newland entered Port Nelson, and declared His Majesty's right thereto by setting up His Majesty's Arms, as the ensigns of his sovereignty. In the year 1670, His Majesty was pleased, by his Royal Charter, to incorporate the said adventurers, granting them power to trade exclusively to all others within the said straits and bay, and within all the lands and territories, rivers and islands, in and about the said straits and bay. In the year 1673, Charles Bayley was sent by the company as governor of the Factories within the said bay, with whom Monsieur Frontenac, then Governor of Canada, kept a good correspondence, without complaining of any injury done by the company, or their agents, in settling of commerce, or building of forts, in the

bottom of the bay. In 1680, Capt. Draper, in one of the company's ships, entered the river of Port Nelson. In the year 1682, the company's agents and factors built a fort, and were settling a factory in Port Nelson, when they were first disturbed by the French, the adventurers having expended near £200,000 for twenty years last past, in building forts and factories, within the limits of their charter. His Majesty's right to Hudson's Bay and territories thereunto belonging, being thus deduced without any interruption or dispute until the year 1682."

The foregoing claims of the French and English to Hudson's Bay are taken almost verbatim from the papers connected with the transactions between England and France relating to Hudson's Bay in 1687. On that occasion, each side presented its view of the question, and the commissioners, the Earl of Sunderland, Earl of Middleton and Lord Godolphin on the part of England, and Barillon D'Amoncourt, the Marquis de Branges and Sieur Francis Dusson de Bourepaus on the part of the French, agreed that it should not be lawful for the servants of either King to commit any act of hostility against or invade the subjects of the other in America.

This treaty of peace between the two governments did not last long, as will be seen by reference to the conflicts which took place between the English and French in Hudson's Bay. In 1697 and '98, the company presented petitions to the Lords Commissioners of Trade asking that the French might not be allowed to travel or trade beyond the midway betwixt Canada and Albany Fort. But it was not until 1782 that the French flag waved for the last time over the forts in Hudson's Bay.

It will be observed that in the grounds of complaint urged against the company, one was that they had wholly neglected

to search for a North-West passage in accordance with the provisions of the Charter, but the following list of expeditions fitted out by them will show that the complaint was unfounded.

Vessels fitted out by the Hudson's Bay Company on discovery of a North-West passage :

1719 *Albany*, frigate.—Capt. Geo. Berley, sailed from England, 5th June. Never returned.

Discovery.—Capt. David Vaughan, sailed from England, 5th June. Never returned.

Prosperous.—Capt. Henry Kelsey, sailed from York Fort, June 19th. Returned 10th August following.

Success.—John Hancock, Master, sailed from Prince of Wales Fort, June 26th. Returned 2nd September.

1721. *Prosperous*.—Capt. Henry Kelsey, sailed from York Fort, June 26th. Returned 2nd September.

Success.—James Napper, Master, sailed from York Fort, June 26th. Lost on 30th June.

Whalebone.—John Scroggs, Master, sailed from Gravesend, 31st May. Wintered at Prince of Wales Fort. Sailed from thence 21st June, 1722. Returned July 25th following.

1737. *Churchill*.—James Napper, Master, sailed from Prince of Wales Fort, July 7th. Napper died 8th August, and the vessel returned on the 18th.

Musquash.—Robert Crow, Master, sailed from Prince of Wales Fort, July 7th. Returned 22nd August.

The Charter, however, retained its vitality for fully two centuries, and the only instance where a confirmation of it was asked was in 1690. In 1847, there appeared for the first time in print, a document which was found in the Rolls of Chancery, and which proved to be this very same confirma-

tion, by Act of Parliament, passed nearly two hundred years before. The existence of this document was not even suspected by the British Government, and is the only instance on record where a ratification was granted. Parliament strictly limited its confirmation to a period of seven years, and the company refrained from seeking a renewal of it.

In 1749, when Mr. Arthur Dobbs, the promoter of the Dobbs-Galley expedition, and his associates, presented a petition to the English Government for incorporation with certain privileges, somewhat similar to those enjoyed by the Hudson's Bay Company, Messrs. D. Ryder and Wm. Murray being appointed by the Committee of the Privy Council to consider and report upon the said petition, made the following statement:—"As to the supposed forfeiture of the company's charter by non-user or abuser, the charge upon that head is of several sorts, viz:—That they (the Hudson's Bay Company) have not discovered, nor sufficiently attempted to discover, the North-West passage into the South seas or Western Ocean: That they have not extended their settlements through the limits of their charter: That they have designedly confined their trade to a very narrow compass, and have, for that purpose, abused the Indians, neglected their own forts, ill-treated their own servants and encouraged the French. But, on consideration of all the evidence laid before us by many affidavits on both sides, we think these charges are either not sufficiently supported in point of fact, or in a great measure accounted for from the nature or circumstances of the case."

The charter, it will be observed, constituted a very small body of directors, and the number required to form a quorum was, therefore, small. It was, indeed, a corporation of the

closest kind, and guarded its secrets carefully. The organization in London provided for the administration of its local business within its chartered territory, and for some years the company sent a superintendent to each of its posts. The expansion of the business, however, soon resulted in an admirably managed system. A local resident Governor was appointed, who presided at a council which was held annually, or oftener, if necessary, for the purpose of directing all the management down to the minutest details for the carrying on the affairs of the company throughout its vast territory. This local Governor and council was, of course, subject to the Board of Directors in London, and, years afterwards, when the company procured its licence for "exclusive trade" over the whole North-West, extending to the Pacific Ocean, the task of administering its affairs became one of great responsibility.

When Canada was ceded by the French in 1763, the English, following in the line of their predecessors, endeavored to push the fur trade to the far west, irrespective of any claims on the part of the Hudson's Bay Company. The continued interest in the finding of a new passage into the South Sea, which prevailed in England, had also induced several parties to undertake expeditions to Hudson's Bay, and these complained of lack of sympathy, and even opposition, on the part of the company's officers toward their enterprises, which, in 1749, resulted in a petition to the Lords-in-Council against the monopoly and policy of the company.

This action on the part of their opponents, and the subsequent competition of the fur traders in the interior, led the Hudson's Bay Company, in 1769, to send Samuel Hearne to explore the north, who, during that expedition, discovered the

Coppermine River, and was the first European to look into the Arctic circle. This was followed up by the North-West Company sending Alexander McKenzie out, who followed the river which received his name for 800 miles, and was the first explorer to pass the Rocky Mountains. In 1820 and 1825, Sir John Franklin was sent by the British Government, and advanced the exploration of McKenzie. In 1829, the British Government sent Sir John Ross, and, in 1832, aided by private subscriptions, despatched Sir George Back to search for him. The Hudson's Bay Company, which had rendered aid in these and other expeditions, then took up the work of exploration at its own charges, and in 1836 sent Thomas Simpson and Peter William Dease, who, in 1838-9, discovered what was supposed to be the longed-for water opening. It will thus be seen that the Hudson's Bay Company played no inconsiderable part in North-Western exploration.

At the risk of being accused of repetition in our narrative, we will now recapitulate the different phases of opposition offered to the company from the time when it obtained its charter. While the company had as yet planted its posts only on the shores of James Bay, and at the mouth of Churchill and Hayes Rivers, the French, by assaults in 1682 and 1686, destroyed all the posts, except Albany, on the former bay, and held possession of York Fort from 1697 to 1714. In 1682, the company petitioned Charles II. for protection against De le Barre, Governor of Canada, who threatened to assault its posts. Again, in 1697 and 1698, it petitioned the Lords Commissioners of Trade to prevent the French from travelling or trading beyond the midway betwixt Canada and Albany Fort, which it reckoned to be within the bounds of its charter. In 1699, the French ambassador, in answer to a

memorial, asserted the claims of his sovereign to the whole bay on the north, which he insisted was comprehended within the limits of the grants to his subjects, as in the previous expeditions of the French, with Indian allies, against the early bay posts, the assailants had crossed the height of land between Canada and James Bay. The expedition of La Perouse in 1782, and his capture of the forts of the company, was a bold and effective blow, which there seems to have been no attempt to parry or avenge, and we have seen how the French penetrated the interior of the North-West in the prosecution of the fur trade, and were succeeded, after the cession of Canada in 1763, by English adventurers and traders, who became the bitter opponents of the Hudson's Bay Company in its efforts to establish itself in the North-West.

The French had traded under "licenses" granted by the authorities, but the English declared for free trade and, as a result, sharp practices, jealousies, feuds, and, worse than all, and demoralization among the Indians at once ensued. This state of affairs led to the formation of the North-West and other companies for self-protection, and thus a powerful and organized opposition to the Hudson's Bay Company was formed.

In the meantime, the company extended its operations and built numerous posts throughout the North-West, the supplies for which came chiefly *via* Hudson's Bay. There were usually two ships employed annually to make the voyage, and they were timed to arrive there about 10th or 15th August, and, after changing cargo, to leave for home about Sept. 15th or 20th; but owing to the difficulties of navigation through ice, the vessels experienced all the difference in their successive voyages between four days and five weeks. The two

vessels generally endeavored to keep together on the outward passage, parting after entering the Bay, the one for York Factory, the other for Moose Factory on James Bay. Two years' supplies of goods were kept at York Factory to guard against the failure of arrival of the ships, from which it would appear that the company had not the fullest confidence in the navigation of the straits.

In order to facilitate the transport of goods, the parcels imported and the bundles of furs exported were done up so as not to exceed one hundred pounds each in weight. These were conveyed inland in canoes, and a strong man would carry two of them over a portage by a strap passing either over his forehead or across his chest. In winter, a sled without runners, and drawn by four or eight dogs, was substituted for the canoe, and in this manner the supplies were transported to the inland posts, from thirty to sixty miles per day being the rate of speed at which they were conveyed.

The posts of the company, being planted at the confluence or the parting of streams, offered opportunities in long routes of travel, for occasional intercourse and hospitality. Often a travelling party might rely wholly or largely upon the game—animal, bird or fish—to be found on the route, but the staple food at the posts and in travel was pemmican, of which the company gathered in its storehouses thousands of bags. Most usually prepared from the buffalo, pemmican might be made also of moose meat, deer or mountain sheep. The two yearly hunts of the natives were busily turned to the account of the manufacture of pemmican, and during the hunt, hundreds or even thousands of the animals were dropped on the plains, and then the squaws began their work. The carcasses were skinned and the hides passed through the processes of

drying, tanning and softening for many uses. The meat was torn into strips, dried by the sun or by fire, and then pounded into crumbs and packed in a close bag made of the hide, after which a quantity of hot fat, in proportion of four to five of the lean, was poured into the bag, stirred into a mixture and then carefully closed from the air. This food, which was the main-stay of the company's people when travelling, would keep perfectly good for years, if stored in a dry place and was transported at wide distances for men and dogs.

The rations of food dealt out to the voyageurs and to those at the posts varied according to the nature of the supplies. On the shores of the bay, a wild goose was a day's ration—so were ten pounds of buffalo meat; at Athabasca, eight pounds of moose meat; on English river, three large white fish; higher to the north, reindeer; west of the Rocky Mountains, eight rabbits or a salmon. One of the most niggard regions for food was on the route between Lake Superior and Lake Winnipeg. There, fish were scarce, and though rabbits were sometimes innumerable, they were most innutritive. The most faithful companions of these wilderness travellers, their own horses and dogs, were necessarily put to the uses of the kettle when there was no alternative resource. The great drink of the north-West was Souchong tea, and traders and Indians alike, were very fond of this gentle stimulant. After passing a threatened peril, or accomplishing some extreme effort of daring or endurance, a full solace was always found in starting a blaze, putting on the kettle and drinking the effusion as strong as it could be made, and almost at the boiling point.

In the prosecution of the fur trade, the question of food was often a difficult one to manage. The Indians were naturally wasteful and improvident, and unfortunately held to the belief

that the more game they slaughtered the more rapidly would the animals multiply. Traders and hunters were scarcely less improvident, and the extinction of the buffalo on the plains, and the diminution in the supply of larger game in the woods, is the result to-day of this wastefulness. In the hunts, the plains would be strewn with carcasses far exceeding their needs or means of transportation, and in the woods, deer, moose and other game would be left to rot. Yet, both Indians and hunters often suffered terribly, in their journeyings, from hunger.

The goods, imported by the company having been deposited at the various posts, the Indians would soon appear upon the scene laden with furs, or the company's officers would undertake expeditions to distant camps, taking with them the necessary supplies for trading with the natives. When the Indians moved in companies, for a visit to a post with their furs, they had to bring with them their food and all their household goods—their lodge poles and coverings, their pans and kettles, and their whole families. The visitors were required to keep at a respectful distance from the precincts of the post, and, while camp was being formed, the employes of the company would make the necessary arrangements for carrying out the well-prepared methods of trade. Liquor too often played a conspicuous part in the trading operations, although the company did not encourage its use as much as has been laid to its charge.

In trading, the beaver skin represented the unit of value, and the tariff of other skins was regulated thereby. The Indians would receive little sticks prepared for the purpose, each one representing the value of a beaver skin, and these sticks were the currency used and accepted by the company

in dealing with the Indians. When the latter had disposed of their furs they proceeded to purchase their supplies, trinkets, etc., and paid for what they bought in the sticks which they had received in exchange for their peltries.

It has often been charged against the company that they supplied liquor to the Indians for the purpose of taking advantage of them in trading. But the absence of any serious outbreak on the part of the Indians, or discontent, shows that no undue advantage was taken of them by this means. It may even be said that as a general thing no trading between the servants of the company and the Indians took place if the latter were under the influence of firewater. In fact, the complete control or monopoly of trade, which the Hudson's Bay Company held for years, was a security for the preservation of the Indian tribes, because without them the trade could not have been carried on.

The furs having been secured from the Indians, the packing of them for the English market required great skill and knowledge, so as to ensure their proper preservation *en route*. The bales had to be guarded from heats and damps, etc., while on the voyage, as a trifling blemish would reduce their value. The company, therefore, ran great risk in carrying on their trade, and the fidelity of their employes, in the discharge of their duties, was of vital importance to their success. That the servants of the company were faithful to their trust, and devoted to the interests of their employers, is well known, and the profitable results of the business transacted in those early days is the best proof of this.

From the date of the charter in 1670, for twenty years, to 1690, the returns of the company had been £118,014, and this, notwithstanding the losses to their establishments by

the French in 1682 and 1688. During this time, the capital stood at £10,500. In 1684, there was a dividend of fifty per cent., and the same in 1688. In 1689, the dividend was twenty-five per cent., and in 1690, the stock was trebled without any call being made on the shareholders. So the twenty-five per cent. dividend of that year was really seventy-five per cent. From 1692 to 1697, the damage done by the French in the capture of its establishments subjected the company to a loss of £97,500. This compelled the directors to borrow money temporarily at six per cent. Yet, notwithstanding this, in 1720 it again trebled its capital stock, with a call on its shareholders of only ten per cent. Again the company suffered a severe loss from the French, in 1782, through the destruction of its posts by La Perouse. Then it paid, for a while, dividends of from five to twelve per cent., averaging nine per cent. In 1690, the capital stock of the company was £31,500. It was trebled again in 1720, and became £94,500.

In 1749, the following were the posts belonging to the Hudson's Bay Company: Moose, Henly, East Main House, Albany, York and Prince of Wales Fort, and in 1793, according to a map published at that time, the following posts and forts were established by the different fur companies throughout the North-West.

Between latitude 50° and 60° , the following were situated.

East Main Factory, Brunswick House, Albany Fort, Gloucester House, Moose Fort, Osnaburgh, Galt Lake, Red Lake, Swan River, Somerset House, Brochet, Marlboro' House, Cumberland, Carlton, Hudson's House, South Branch, Grant's, Thorburne, and Manchester House.

Between latitudes 60° and 70° , were the following:

York Fort, Churchill Fort, Severn House, McLeod's Fort.

Fort Chipewyan, on Elk River, at that time the most northerly post established by any of the fur companies.

It will be seen from the above list that the traders from Montreal had extended their operations far into the interior before the Hudson's Bay Company began to establish posts there, as it was not until 1793 that the company's servants appeared on the Red River for the first time.

Then succeeded a period of keen competition between the rival fur companies—the erection, in quick succession, of new trading posts throughout the country, the amalgamation of the North-West and XY Companies, and their united efforts against the Hudson's Bay Company.

This continued until the Earl of Selkirk appeared upon the scene, when the conflicts between the two companies assumed such proportions that the attention of the Home and Colonial Governments was called to the scenes of bloodshed and disturbance attending them.

In the beginning of the present century, Lord Selkirk was extensively engaged in colonization projects in British North America, and in connection with them visited the City of Montreal. He then had an opportunity to enquire into the operations of the North-West Company through the attentions of the agents and partners of that corporation, in their efforts to entertain him, and the information he received at the time created a profound impression upon his mind as to the great possibilities of the North-West.

On his return to England, His Lordship continued his enquiries in relation to the subject which so much interested him, and it was not long until he recognized the superior advantages possessed by the Hudson's Bay Company over those of their rivals in the prosecution of the fur trade. He saw

that the over-land route from Montreal to the trading stations in the North-West was several hundreds of miles longer than the one from Hudson's Bay, and that the exclusive commerce and navigation enjoyed by the Hudson's Bay Company in that inland sea made them really masters of the situation.



CHAPTER IX.

THE FUR TRADE ON THE PACIFIC COAST.

THE agents and officers of the fur companies penetrated the country beyond the Rocky Mountains in all directions, and established posts in New Caledonia, now British Columbia, on Cleod Lake, in 1805: on Stuart Lake, in 1806: on the Jackanut (now the Fraser) Fort George, in 1807, and in 1808 an expedition started to trace the Jackanut to the sea. They discovered the Thompson River in 1808, and in 1811 traversed the Columbia from its extreme northern bend to its mouth.

The North-West Company in fact outstripped its chartered rival from Hudson's Bay in the establishment of trading posts everywhere in the interior, and its officers, being stimulated by the hope of becoming partners, showed more zeal and activity than their opponents in extending the fur trade to all parts of the North-West. The Hudson's Bay Company presented no such inducements to extra exertion on the part of its officers, each individual having a fixed salary without any prospect of becoming a proprietor, and so long as he did his duty he did not feel himself called upon to do more.* This was one advantage the North-West Company had over its rival, and another was the employment by it of French Canadians as canoe-men, carriers and traders. These, although wild and reckless at times, were remarkable for obedience to their superiors, and

their skill in managing canoes, capability of enduring hardships and facility of adapting themselves to the habits and peculiarities of the various tribes, rendered them more popular in the eyes of the Indians than the men from Orkney, employed by the Hudson's Bay Company. The men from the north of Scotland, although hardy, were stubborn, unbending and matter-of fact in their intercourse with the natives, and, added to this, no idea of supererogation ever entered their minds. They were, therefore, not so popular with the Indians, or so successful in trade as the rollicking, reckless French Canadians : and, as a result of this, the latter penetrated regions in the prosecution of trade far ahead of the former.

The North-West Company, indefatigable in its efforts to extend its trade, after establishing posts adjoining the different factories of the Hudson's Bay Company wherever they were built, continued its progress to the northward and westward, and formed numerous trading stations at Athabasca, Peace River, Great and Lesser Slave Lakes, New Caledonia, the Columbia, etc., etc. No officer was more active or more successful in this work than Mr. John Stuart, one of the partners of the North-West Company, who discovered and named the lake which bears his name. He and his associates were so active that their influence with the natives became all powerful, and they in fact enjoyed a monopoly of trade in the far west, which for a long time was left undisturbed by the officers of the Hudson's Bay Company.

While this was going on in the north, fur companies were established south of the American boundary line, and carried on an active trade in peltries in that region. First, the Mackina Company was formed and held a monopoly until the American Fur Company was established by Mr. Astor in 1809,

when the two became amalgamated into one under the name of the South-West, in contradistinction to the North-West Company.

Mr. John Jacob Astor of New York, a German by birth, but a citizen of the United States, raised himself by his adventurous and enterprising spirit from small beginnings to be one of the most eminent merchants in America. Soon after his arrival in the United States in 1784, he commenced his commercial career in the traffic of furs; at first on a narrow scale, but gradually expanding as his means increased. In this way he made visits to Canada, purchasing furs and shipping them direct to the London market, and it is supposed that at this period his buoyant and aspiring mind conceived the vast project of grasping in his own hands at some future day the whole fur trade of North America.

Mr. Astor, when he saw himself at the head of a great fur company (the South-West), formed the idea of penetrating through the barriers of the Northern Company, so as to come eventually into possession of all the fur trade east of the Rocky Mountains. As a stepping-stone to the accomplishment of this grand scheme, he turned his attention to the trade on the coast of the Pacific, which at the time was chiefly in the hands of the Russians. A few American coasting vessels also carried on a lucrative trade, and Mr. Astor perceived that if such limited and desultory traffic produced large profits, a well regulated trade supported by capital and prosecuted with system, would result in immense gains.

The first step taken by him was the formation of a branch of the fur trade, which he styled the "Pacific Fur Company," the grand central depot of which was to be at the mouth of the Columbia River. He thus contemplated carrying off the

furs of all the countries west of the Rocky Mountains, and by forming a chain of trading posts across the continent from the Atlantic to the Pacific, he hoped by means of his South-West Company in the east, and the Pacific Company on the west, to capture the entire trade of the country. It was a grand commercial scheme, and attracted much attention at the time, especially in the United States, but Mr. Astor did not sufficiently take into consideration the power, influence, and activity of the North-West Company when laying his plans. He did not calculate upon the untiring energy of such men as John Stuart, McGillivray, McTavish, and others, to upset his schemes, and here is where he did not show his characteristic foresight, for when he made a proposition to the North-West Company to join him, and it was rejected, he should have arranged for a better protection against the wiles of the North-Westerners than he did.

He was certainly warned by friends and others that the British would take umbrage at his attempts on the Pacific, and endeavor to checkmate them. Astor's reply was that he intended chiefly to employ British subjects in his undertaking, and by this means would be able to hold his own. About this time there happened to be some disagreement among the partners of the North-West Company, and several of them left that concern in disgust. These were just the men Mr. Astor had in view : men of influence and experience among savages, and who, from their earlier days had been brought up in and habituated to the hardships of the Indian trade. Five of them, named McKay, McKenzie, McDougall, and Messrs. David and Robert Stuart, joined the Pacific Fur Company, and soon afterwards, five others, namely Messrs. Hunt, Crooks, Miller, McLellan and Clarke, were added to the number, when a joint

stock concern was formed with a capital of \$200,000, which Mr. Astor furnished. The shares were 100 of \$2,000 each, with power to increase the capital to \$500,000, and the association was to last for a period of twenty years, with a proviso, however, that at the end of five years it was to be dissolved, if found to be unprofitable or impracticable. The allotment of shares was as follows :

Mr. Astor 50 shares. Mr. Hunt, who was appointed chief manager, 5 shares.

The other partners 4 shares each, and the remainder were reserved for the clerks, who joined the company as adventurers without any other remuneration than their chance of success at the end of the five years trial.

The company being thus formed, a vessel called the *Tonquin* was fitted out in 1810, and Captain Thorne, a lieutenant in the service of the United States, placed in command. A party consisting of four partners, McKay, McDougall, and the two Stuarts, with nine clerks, and a number of voyageurs, mechanics, etc., embarked on this ship, the whole being in charge of McKay, and on the 6th September set sail from New York bound for the Pacific. Previous to this, an overland party under command of Mr. Hunt, was partly organized at Lachine, near Montreal, and left there on 5th July to go across the continent *via* St. Louis and the Missouri. McKenzie, who was with this expedition, wanted to engage only French Canadian voyageurs for the trip, but Mr. Hunt, who was of a grave and steady character detested the volatile gaiety and seemingly reckless manner of these men, and declined to employ more than a few of them, preferring Americans. This, as it turned out, was a great mistake which Mr. Hunt afterwards acknowledged, for the Canadians were voyageurs of the first class, and

hardy veterans who thought of nothing but to toil and obey, while the men who were engaged in their place proved to be broken down, unreliable, and in many cases utterly unfit for the hardships of the journey. At Mackina the rioting and carousing of the trappers and adventurers assembled there made it impossible for Mr. Hunt to secure any number of good men, and being joined by Mr. Crooks, another partner in the company, the party made their way to St. Louis where they arrived on the 3rd September. Here several Americans engaged with Mr. Hunt, and received their advance in money for the trip, but becoming dissatisfied with the rations served to them, deserted in a body. Not only did they leave in this manner, but they also gave the expedition a bad name, so that it was found impossible to secure men to fill their places, and Mr. Hunt was at a stand-still, bitterly repenting his refusal to take McKenzie's advice at Lachine to employ Canadians. Soon after this, however, Mr. Miller, another partner in the company, joined the expedition, and he being well known as a trader on the Missouri succeeded in inducing a number of men to join it. It may be stated here also that the opposition of the Missouri Fur Company to the undertaking proved a great obstacle in the way of Mr. Hunt, but at last after a vexatious delay of forty-eight days the party left St. Louis on the 21st October, just one month and a half later than the sailing of the *Touquin* from New York.

The expedition moved slowly, and on the 16th November went into winter-quarters at Nodowa, about 450 miles up the Missouri, where they were joined by Mr. McLellan, another partner, who had the reputation of being one of the best shots in America. During the winter, numerous desertions took place, and when, on the 22nd April, the party made a fresh

start on the journey, they were sadly decreased in numbers, but Mr. Hunt, notwithstanding this, pressed forward, and on the 14th September reached the heights of the Rocky Mountains.

From this time the real troubles of the expedition commenced. The first mistake made was when they decided to abandon their horses, which they turned loose to the number of one hundred and eighty, and embarked in fifteen canoes for the purpose of descending the rugged and boiling channels of the south branch of the Columbia. They had not gone far however, until the impracticability of proceeding by water became apparent, and the canoes were next abandoned, and an attempt made to travel by land. Men were sent out to recover the horses, if possible, but were unsuccessful, and then most of the goods and baggage were placed in *caches* to preserve them, and lighten the burdens of the travellers. As they proceeded, provisions became scarce, the country being destitute of game, so that starvation stared the unfortunate party in the face, and several disasters, following with the loss of three or four of the men, placed the expedition in a deplorable condition. It was then that two parties were formed, one under Mr. Hunt, and the other in charge of McKenzie, and in this way they proceeded along the river, enduring every hardship it is possible to conceive, sometimes going without food as many as five days at a time. Cheered on, however, by the example and endurance of their leaders, the two bodies of adventurers managed, after untold privations, to reach the mouth of the Columbia, McKenzie's party arriving on the 10th January, 1812, and Hunt's on the following 15th February, having been about nineteen months in making the journey from Lachine.

The party on board of the *Tonquin*, although not subjected to such trials and privations as those who undertook the overland expedition, were not altogether free from discomfort and hardship. Their voyage was full of adventure, and through the arbitrary and disagreeable conduct of the captain of the ship, their lot was far from being a pleasant one. On one occasion, while several of the party were on land during the time when the ship was taking in a supply of fresh water, the captain sailed and left them to their fate on a desert shore, and if it had not been for the determined conduct of Mr. Robert Stuart, one of the partners, who threatened to blow the captain's brains out if he did not stop, the luckless men would have been abandoned. The captain's conduct to both passengers and crew fostered a spirit of mutiny, and desertions from the ranks of the sailors took place on several occasions: men were put in irons, and others abused, so that altogether, the voyage was a most disagreeable one; made so through the imperious and harsh disposition of the man whom Mr. Astor had placed in command of the ship.

When nearing the Columbia River, the first mate, Mr. Fox, was drowned while obeying the unreasonable orders of the captain, and in a few days afterwards the third officer of the ship was lost in the same way. At the mouth of the Columbia, which is remarkable for its sand bars and high surf at nearly all seasons, the *Tonquin* had a narrow escape from being lost, but on the 26th March succeeded in entering the mouth of the river. The foolhardiness of the captain on this occasion is referred to in the following words by one who was on board the ship at the time.

“ Here are two points for consideration: first, the time of sounding: and, secondly, the time chosen for entering the

breakers. In respect to both there was an unwarrantable precipitation—a manifest want of sound judgment. We made the land in the middle of a storm, the channel and coast both unknown to us, and without either pilot or guide: under such circumstances it was evident to all that no boat could live on the water at the time (to take soundings), far less reach the shore: and our entering the breakers at so late an hour, the sun at the time not being fifty minutes above the horizon, the channel also being unexplored, was certainly a premature and forlorn undertaking; but there existed such disunion—such a spirit of contradiction on board—that the only wonder is how we ever got so far.”

Some time was spent after this in examining the shores, with the view of choosing a suitable place to build on. At last it was settled that the new establishment should be erected on the south side, on a small rising ground named Point George, distant twelve miles from the mouth of the inlet or bar. and here, on the 12th April, 1811, the whole party, consisting of thirty-three persons disembarked, and on the 18th May following, the foundation of the town of Astoria was laid, the place being so named in honor of Mr. Astor.

In June, the *Tonquin* sailed from Astoria on a trading expedition to the North, and not long afterwards the ship was lost, thus leaving Astoria without any means of protection against the Indians, or proper means for carrying on trade. With not a single gun mounted, or a palisade raised, the party sent out by Mr. Astor was left without the least precaution being taken to secure life or property, and this state of things and the many mishaps that befell the expedition, showed a lack of proper management somewhere in the organization of the enterprise.

It may be interesting at this stage, before proceeding with our account of Astoria, to give a few particulars relating to the fate of the *Tonquin*. That vessel sailed from the mouth of the Columbia on the 5th June, 1811, on a trading speculation to the northward, and on the eve of starting, the captain, stubborn and unreasonable as ever, discharged his second mate, who refused afterwards to rejoin the ship. Mr. McKay, one of the partners, went in charge of the expedition, and soon succeeded in opening a smart trade with the natives, in which, however, he was seriously hampered by the harsh and unbending manners of the captain, whom the Indians disliked very much. On one occasion, Capt. Thorne having struck one of their principal men whom he had caught in a petty theft, a conspiracy was formed to surprise and cut off the vessel, but this design was discovered by the interpreter, who lost no time in acquainting Mr. McKay of it. The Indians then, suspecting that their conspiracy was known, endeavoured to throw the whites off their guard by visiting the ship unarmed. On the day before the ship was to leave New Whitby, the place where McKay was carrying on his trade, a couple of large canoes, followed by others, came alongside offering furs for sale, and the occupants were allowed to come on board. The interpreter, however, saw signs indicating that their visit was with hostile intent, and again warned McKay and the Captain, but the latter treated the caution with contempt, until the number of Indians on board obstructed his efforts to get the ship ready for sailing. Then he ordered them off, and threatened if they did not go, to force their departure. This was a signal for the attack of the savages, who, with frightful yells, fell upon the unsuspecting crew with knives, bludgeons and short sabres which they had concealed under their robes. Mr.

McKay was the first one attacked, and being stunned by a blow from one of the bludgeons, was thrown overboard into a canoe. Capt. Thorne made a determined stand against his assailants, but being armed only with a knife, he was finally overpowered and cruelly butchered on the deck, after which his mangled body was thrown overboard. The resistance made by the captain and crew maddened the savages to such an extent, that they then seized upon Mr. McKay and battered his brains out. In the meantime, three of the devoted crew managed to gain the cabin where the firearms were stored, and, seeing little hope of escape, resolved upon taking a terrible revenge, by blowing up the vessel. They first, however, proposed to the savages who stood in awe of the firearms which they now had, that if they were allowed to leave the ship without being molested, they would give up quiet possession of it. This the Indians agreed to, and the three sailors, having laid a train to the magazine, fired it and left the vessel, whereupon, the savages, eager to obtain possession, clambered upon the deck and the next moment the explosion took place, hurling upwards of two hundred of them into eternity and dreadfully injuring as many more. The first impression among the surviving Indians was that the Evil Spirit had taken revenge on them for attacking the whites, but this idea wore off as their terror subsided, and they quickly discovered that human agency had caused the explosion. The three sailors were followed, and, being discovered asleep at a point not far distant, were ruthlessly murdered by the avenging natives. Thus ended the voyage of the *Tonquin*, and the melancholy fate of her hapless crew might have been averted if a more amiable and sensible man had been placed in command. The loss of the ship was a severe blow to Mr. Astor's enterprise on the Pacific.

When the *Tonquin* left the establishment at Astoria on her last and ill-fated voyage, the Indians at once began to be troublesome, and for a time great anxiety was felt by the settlers about the safety of their position, exposed as they were. About this time, too, an unexpected visitor, in the person of Mr. Thompson, a partner in the North-West Company, made his appearance, and, to the surprise of every one in Astoria, was received with great hospitality by McDougall, Mr. Astor's representative, who showed him everything there was to be seen about the establishment. There is no doubt that he was sent for the purpose of spying out the land, and of discouraging, if possible, the Astor people in their attempt to establish a fur trade on the Pacific. There is even reason to suppose that his intention was to take possession of an eligible spot, at the mouth of the Columbia, with a view of forestalling the plan of Mr. Astor. But on his way some of his men had deserted him, and this delayed him, so that on his arrival he found Astoria established, and the American flag hoisted as a token of possession.

Previous to the coming of Mr. Thompson, two Indians appeared, who showed a letter addressed to Mr. John Stuart, Fort Estekatadene, New Caledonia, and who turned out to be also in the service of the North-West Company. The visit of these Indians, and afterwards of Mr. Thompson, showed that the Nor'-Westers were not asleep or unmindful of the intentions of Mr. Astor. Indeed, Mr. Thompson unburdened himself to McDougall and others of the party, by saying that the wintering partners of his company had resolved to abandon their trading posts west of the mountains, and not to enter into competition with the Pacific Fur Company, if the latter would engage not to encroach upon the trade on the east side.

He then gave a description of the interior of the country, not calculated to impress his hearers with a very favorable idea of it, and altogether acted a part evidently meant to deceive the Astorians. When he left, Mr. D. Stuart and a party of voyageurs left at the same time and in his company, for the purpose of exploring that interior which Mr. Thompson had described so unfavorably. But, had the Astorians been wise they would have given Mr. Thompson the cold shoulder, or if Mr. Astor had foreseen the wiles of the Nor'-Westers sufficiently, his enterprise might have succeeded better. Be that as it may, the colony at the mouth of the Columbia encountered many difficulties which, it would seem, a little foresight might have prevented. Undoubtedly Mr. Astor was to a great extent in the hands of his partners, but, knowing as he must have done and of which he was warned, that the North-West Company would frustrate his designs if possible, he should have been the more careful in the selection of some of the men to whom he entrusted the care of the enterprise, and bound them so as to have prevented the disagreements, jealousies and desertions which afterwards took place.

On the 17th October, 1811, Mr. Astor sent the *Beaver*, a vessel of four hundred and eighty tons, to the Pacific coast, in command of Captain Cornelius Sowles, with additional supplies for the people in Astoria, and with her went a partner of the company, six clerks and a number of artisans and voyageurs. The voyage was a much more pleasant one than that of the *Tonquin* the previous year, and in six months and three weeks the vessel arrived at the mouth of the Columbia, where it was met by Mr. McDougall and some of his men, who safely piloted it over the bar.

From this time the Astorians made every effort to extend

their trading operations on the Pacific slope, but with indifferent success. Skirmishes with the natives, and losses through the duplicity of Indians on whom they were frequently obliged to depend when travelling in the interior, caused them much discouragement and disappointment. A trading post with Mr. David Stuart in charge had been established in the Okinagan country, and soon after the arrival of the *Beaver*, a large party ascended the Columbia, and from it McDonald, McKenzie, and a few others were detached and sent to a point on the Lewis River, to open a station among the Snake Indians.

The main party then continued on to the Spokane country, where at a junction of the river of that name, and one called the Pointed Heart, they established a post. Alongside of them was a station of the North-West Company who had several others in that district, and the Astorians at once set to work to oppose the Nor'-westers by establishing stations in different parts of the country, so that a lively competition ensued, which in one instance resulted in a duel between an officer of the Pacific Company and one of the Nor'-Westers. On the whole, however, the relations, socially, between the two sets of traders were amicable, although in trade they were bitter rivals.

On their return to Astoria, on June 11th, 1813, this party of Pacific Fur Company traders found that a total revolution had taken place in the affairs at headquarters. The North-West Company ever on the alert to dispossess the Astor Company, had sent two of their chief men, Messrs. John George McTavish, and Joseph La Rocque, to negotiate for the purchase of the property. They represented that as war had broken out between Great Britain and the United States, and the former power had blockaded all American ports, the Astorians could

expect to receive no supplies from New York, or ship any furs there, and that therefore they would not be able to carry on the establishment. Previous to the visit of McTavish and La Rocque, word of this nature had been received, and also that the *Beaver* was blockaded in Canton. Much dissatisfaction also existed among the partners at the policy pursued by Mr. Astor in regard to the Columbian Colony, and a determination to leave the Pacific Fur Company, and abandon Astoria, had actually been arrived at. In fact, preparations were being made for an overland journey from the Pacific, and everything pointed to a dissolution of Mr. Astor's enterprise, when the arrival of the Nor'-wester envoys altered the complexion of affairs, and after some deliberation an agreement to sell was entered into by McDougall, and the representatives of the Northern Company.

All the furs, and such supplies as could be bought in from the interior, had been collected in Astoria, and some organized means by which the place could be abandoned, had been resolved upon. But the hardships which had been endured by the overland party in crossing the continent in 1810, were not forgotten, and when the overtures came from the North-West Company to buy, McDougall agreed to the transfer. He has been blained in some quarters for sacrificing Mr. Astor's interests, and that gentleman is reported to have said that he would sooner have taken nothing than to have sold the furs at the prices McDougall agreed to. No doubt the North-West Company made the best bargain they could, but it would appear as if both principals to the transaction were dissatisfied. Mr. Astor, on the one hand, thought that he received too little, and Mr. John Stuart, on behalf of the Nor'-Westers, declared that McTavish had paid too much. So on the

whole it may be concluded that McDougall made the best arrangement he could under the circumstances. The transaction was fully agreed to on the 16th October, 1813, the whole sales including furs and merchandise, amounting, it is said, to \$80,500, for which bills on the agents of the company in Canada were to be given.

But McTavish expected the arrival of an armed ship, the *Isaac Todd* at any moment, and in that case Astoria would be captured as a prize, and his bills of exchange saved. So he, for one reason or another, put off completing the bargain made with McDougall, the dissatisfaction of Mr. John Stewart at the price agreed upon, having no doubt something to do with his indecision. McDougall on the other hand had a squadron of boats ready to convey the furs into the interior, should the *Isaac Todd* arrive, and matters went on in this way for nearly a month, when McKenzie, Mr. McDougall's colleague, suggested a measure likely to bring McTavish to terms. The latter and his party were practically without arms or provisions, and being camped under the guns of the fort, were therefore at the mercy of the Astorians. McKenzie's plan was to man the bastions, load and point the guns, and with the gates shut, give the Nor'-Westers two hours to decide either to sign the bills of exchange, or break off the negotiations altogether, and remove to other quarters. This suggestion was acted upon, and the Nor'-Westers were brought to terms—the bills were finally and formally signed, and Astoria passed into the hands of the North-West Company on the 12th November, (another account says the 23rd October), 1813.

A few of the Astorians joined the service of the North-West Company, amongst others, McDougall, and this circumstance gave rise to a suspicion that he had been acting all

along in the interests of the British and against the Americans, but judging from the man's reputation for honesty, this is not at all likely. Mr. John Stuart, soon after the transfer, started in company with McKenzie for the interior to take over the posts of the Pacific Fur Company, which was accomplished in December, and from that time the North-West Company reigned supreme west of the mountains, with Fort George, the name by which Astoria was re-christened as their head-quarters.

The long-wished-for ship, *Isaac Todd*, did not arrive as expected, and Mr. John Stuart with a party went again to the posts of the interior with such merchandise as he could collect at the fort, for the purpose of supplying goods for the winter's trade. On that trip a great deal of opposition was experienced from certain tribes of Indians along the Columbia, and it required much firmness and courage on the part of Mr. Stuart and his companions to accomplish their mission. When goods were stolen, which they were on several occasions, the savages were compelled to return the articles, and until this was done the women and children of the tribe were seized, and kept as hostages. By such means, and presenting a well-guarded front to the enemy night and day, the Nor'-Westers succeeded in pushing through without any bloodshed of importance. But these trips to the interior at that time were always fraught with much danger and hardship, so much so, that carrying on the fur trade on the west of the mountains was a most difficult and expensive matter. Indeed to judge from the following letter written by Mr. John Stuart in April, 1815, it would appear that the operations of the North-West Company on the Pacific were not of a satisfactory character, even after they had succeeded in getting rid of the opposition of the Astorians.

The following is the extract from Mr. Stuart's letter:—"I find that the affairs of the Columbia appear to be getting from bad to worse: and the many difficulties and hardships, added to the dangers peculiar to that unfortunate department, are hard to bear, and will keep me particularly anxious until I hear the result of the expedition of this spring to and from Fort George. Although the various encounters you have had with the natives should have taught them to respect the whites, and convince them that nothing is to be gained by force: yet as the attack of last autumn was both daring and premeditated, I am afraid it is but the forerunner of greater aggression. You will, however, have one great advantage in the spring, which is, that if the natives be at that season numerous along the communication, it must be with a hostile design, and, perhaps, by beginning the assault yourselves, you will be able to counteract its effects. Plausible, however, as this may appear in theory, it might probably have a very different effect in practice. I shall, therefore, leave off my advice, lest you might say to me what Hannibal did to the pedant."

Mr. Stuart was at that time in charge of New Caledonia, a very extensive district, extending from 52° to 55° north, and communicating with the Athabasca department by Peace River. From his letter it would seem as if affairs in that part of the country were carried on more peacefully and satisfactorily than on the Columbia.

The North-West Company, however, continued to meet with many difficulties, and instead of trying to conciliate the Indians, they adopted a high-handed course which made matters worse. Added to this, the Hudson's Bay Company commenced to use more energetic measures to extend their trade, and taking a leaf out of the Nor'-Westers' book, they began to en-

ploy Canadians in place of their Orkney men, the result being that they soon pushed their trade into districts hitherto monopolized by the North-West Company. Forts were taken by assault: the Indians bribed to take part in the war; bloodshed and cruelty to prisoners ensued, and every species of barbarity used to each other by men who, in any other course of life, or under different circumstances, would have regarded such deeds with abhorrence. Such a state of affairs could not last long, and in 1821 the long and violent opposition between the North-West and Hudson's Bay Companies ceased by their coalition, when all the results of the Nor'-Westers' efforts on the Pacific passed under the management and was carried on afterwards in the name of the Hudson's Bay Company. In 1839 the Hudson's Bay Company entered into an arrangement with Russia for the lease of Alaska, and their trading posts were established at all eligible points from Behring Sea on the north to San Francisco to the south.

Thus the Hudson's Bay Company as the inheritor and representative of all previous fur companies, played an important part in the early history of the western territory, within the limits of the Dominion. The adventurers and explorers in the service of the company undertook the most fatiguing journeys, and evinced the greatest fortitude in exposing themselves to hardships, privation and danger. It was they who held possession of the territory on both sides of the Rocky Mountains. They were for many years the only civilized occupants of both banks of the Columbia, from its sources to its mouth, and it was not their fault that this region is not now part of the Dominion. They held their ground in Oregon and Washington Territory, under the British flag, until they were compelled to relinquish their hold by the treaty of 1846, and, but

for the discoveries made under the authority of the fur companies, New Caledonia or British Columbia would never have existed, and Canada would be shut out from access to the Pacific. It was only in 1860 that the Hudson's Bay Company finally abandoned its various establishments in Oregon and Washington Territory, and the movable property not disposed of was transferred to Fort Victoria, on Vancouver Island, the point at which, as headquarters, the operations of the company west of the mountains have since been centred and carried on



CHAPTER X.

THE SELKIRK SETTLEMENT.

THE youths employed by the North-West Company, chiefly Scotch, were articulated as apprentice clerks, for seven years, receiving their subsistence and one hundred pounds. The prospective reward of their toil and fidelity was to become partners, and this, as we have already shewn, induced them to work with a will, while the life of adventure which they led, and the excitement and novel scenes incident to the fur trade resulted in attaching them firmly to it. Indian maidens cast in their lot with those clerks, and with the wintering partners of the company, and it was the offspring of these and others, principally Canadians, French fathers and Indian mothers, that there came to be such a numerous progeny of half-breeds. When the Hudson's Bay Company entered the country, their officers and servants followed the course pursued by their predecessors of the North-West Company, in having wives from among the natives, and the population of mixed blood increased in proportion. The half-breeds, of French parentage, far outnumbered those of the English and Scotch, the *coueurs de bois* and *voyageurs*, who were chiefly of Canadian origin, being largely in excess of other nationalities, and from their mixed, inherited, and transmitted qualities, their abandon, vivacity, recklessness and ready affiliation with Indian ways, these French half-breeds were held to be superior for the ser-

vice required by the fur trade. At one time, the North-West Company, and later on the Hudson's Bay Company, had over two thousand of this unique class of employés, going and coming, toiling after a rollicking fashion, paddling and rowing the canoe or the boat, threading the reedy marshes, running the cascades, crossing the portage with their burdens, trailing along the cataracts, bearing all the stern severities of winter in the woods, driving dog-sleds, camping in snowdrifts, ready on their return for wild carousals and dances, parting with the year's gains for finery or frolic, wild and improvident in their nature, but faithful to their employers.

In the rivalry and strife between the two great fur companies these half-breeds played a prominent part, and were often the tools of their superiors in the many lawless deeds committed about that time. It was not, however, until Lord Selkirk appeared upon the scene that any serious outrages were perpetrated by the companies upon each other, and it is about that period in the history of the North-West that we are now about to speak.

When the Earl of Selkirk came to the conclusion that the Hudson's Bay Company were masters of the situation, in the fur trade, he set to work to purchase a controlling interest in its stock, and ultimately succeeded in obtaining about £40,000 in shares, the capital of the company, at that time being less than £100,000. This, combined with the fact that near relatives and friends of his were placed on the Board of Directors, practically gave him unlimited control, and he hastened to take advantage of it in favor of a scheme of colonization which he had in view.

At a general court of the company, convened in May, 1821, the proprietors were informed that the governor and council

tee recommended a grant, in fee simple, of 116,000 square miles of territory to the Earl of Selkirk, on condition that he should establish a colony thereon, and furnish, on certain terms such laborers as were required by the company in their trade. This was opposed by a number of the proprietors, but, notwithstanding their protest, Lord Selkirk succeeded in obtaining the grant which is described as follows:—"Beginning at the western shores of Lake Winnipeg, at a point on $52^{\circ} 30'$ north latitude, and thence running due west to Lake Winnipegosis, otherwise called Lake Winnipeg: thence in a southerly direction through said lake, so as to strike its western shore in latitude 52° ; thence due west to the place where the parallel 52° intersects the western branch of the Red River, otherwise called the Assiniboine River: thence due south from that point of intersection to the heights of land which separate the waters running into the Hudson's Bay from those of the Missouri and the Mississippi Rivers; thence in an easterly direction along the height of land to the sources of the River Winnipeg, meaning by such last named river the principal branch of the waters which unite in the Lake Saginagas: thence along the main stream of those waters, and the middle of the several lakes through which they flow, to the mouth of the Winnipeg River, and thence in a northerly direction through the middle of Lake Winnipeg to the place of beginning, which territory is called Assiniboia."

The grant of land having been obtained, Lord Selkirk issued a prospectus, which, being well calculated to quicken the spirit of emigration prevailing at that time, was circulated in Ireland and in the highlands of Scotland. The scheme was to induce a number of the people in those parts to join the colony which it was proposed to establish in the North-West,

and the man appointed to carry it out was Captain Miles Macdonell. Stornoway was the place selected for the assembling of the colonists, and there, in May, 1811, a number of Irish and Scotch congregated to await the coming of the ships in which they were to embark for Hudson's Bay. The vessels did not arrive until June, and by that time a number of the emigrants had become dissatisfied with the prospect before them, and were prepared to desert. When, therefore, the day came for them to embark, a number refused to go, and others, after going on board, demanded to be put on shore.

In a letter addressed by Captain Miles Macdonell to Lord Selkirk, on the 4th July, 1811, he complains of the high wages promised to some of the colonists by the captain of the ship, and on the 25th, writing again to his Lordship, he gives some account of the dissatisfaction existing among them, and the causes that gave rise to it. He blames an article in the *Inverness Journal*, which was circulated in the Orkneys and Highlands, and which he describes in the following words: "If that piece originated in London, I should expect to find in it more candor, knowledge of the country, and regard to truth than it contains: but some part is not unlike the language that was held out there to discourage and dissuade people from embarking in the enterprise."

An attempt had evidently been made by interested parties on shore to sow discontent in the minds of the emigrants, the result being that a number refused to go, and a certain Capt. McKenzie, whom Macdonell describes as a mean fellow, visited the ships, and endeavoured to induce others to return to shore. But he was not allowed on board, and, as his boat lay alongside one of the vessels, a sailor, it is said, dropped a nine-pound round shot through the bottom, causing the gallant

captain to return to land to avoid sinking. The irritated McKenzie sent a challenge to Capt. Roderick, the commander of the ship, who paid no attention to it, and a fair wind springing up in the night, he set sail. Miles Macdonell, in his letter to Lord Selkirk, blames the customs authorities for the trouble that took place, but there is very little doubt that those opposed to the colonization scheme were at the bottom of it. Macdonell writes: "This, my Lord, is a most unfortunate business. I cannot now state what number we may be able to take along, the delay for these last two days by the customs house has occasioned all this, and the manifest part taken by the collector, his friends and adherents, against this business." In another letter, he says: "Mrs. Reid, wife of the collector at Stornoway, is aunt to Sir Alexander McKenzie, and he called Captain McKenzie, is married to a daughter of the collector: these, with all their adherents, are in a united opposition to Mr. Robertson, and perhaps influenced, in some degree, from London to act as they did." It would seem, then, from this that the North-West Company had even thus early in the day endeavoured to put obstacles in the way of Lord Selkirk's enterprise.

The expedition, however, sailed from Stornoway on the 26th July, 1811, and arrived at York Factory on the 24th September, after a passage of 61 days, at that time the longest and latest ever known to Hudson's Bay. In a letter to Lord Selkirk, dated the 1st October, Miles Macdonell writes: "I forward a general return of the number of men, effective and non-effective, according to the lists which have reached me: by this your Lordship will see our strength at one view, and deficiency from non-appearance and desertion: our total numbers on board all the ships amount only to 90 laborers

and 15 writers, including Mr. Bourke: making a grand of 105, exclusive of us who embarked at Gravesend." band was composed of people from Ireland, Orkney and gow, the latter, it appears, being the most turbulent and satisfied.

In November, Miles Macdonell, with a number of the grants, moved to a point on the Nelson River, about miles from its mouth, and wintered there and from accounts they suffered from many hardships, through insolvency of provisions, disease, and other causes. Insubordination and discontent among the colonists appeared, and the leader of the expedition had much difficulty in quieting them. It is evident also from letters written at the time that Macdonell looked forward to troublesome times ahead, and he does not conceal his opinion that the North-West Company would do all in their power to destroy the proposed settlement on the Red River. He thus writes on 25th December to Mr. Wm. Auld, the Hudson's Bay Superintendent at York Factory: "Were we to form a judgment of all Indians by the peaceable and docile state of the natives in the vicinity of the shores of Hudson's Bay, a full security might be relied on in their friendship: but the Ojibwa nation, into whose country we are going, are represented as among the warlike Indians of North America. We have already threatened in London with those people by a person who knows them well (Sir Alexander McKenzie), and who has pledged himself in the most unequivocal and decisive manner to oppose the establishment of this colony by all means in his power. The London merchants connected with the North-West Company are inimical to it, and I have reason to believe that every means the N. W. Co. can attempt to thwart."

he resorted to—to what extent their influence may direct the conduct of the nations is to me uncertain, and justifies being on our guard at all points.”

The Glasgow colonists seem to have given Macdonell the most trouble during the winter and following spring, and he was obliged to resort to harsh measures with them, but on the 19th June, 1812, he writes to Lord Selkirk as follows: “I am happy to inform your Lordship that the insurgents have at length come to terms, acknowledged their guilt, and have thrown themselves entirely at the mercy of the committee, so that none of them shall now be sent home for the affair of the 12th February. They crossed from here to the Factory on 24th May, and thought the ice too unsafe to return. Mr. Auld turned them out of the factory, and refused them provisions until they surrendered their arms. By this decisive conduct towards them, having no leader, the Glasgow writers, Carswell, Fisher and Brown, being on this side the river, as likewise Mr. Finlay, who had remained behind, find themselves destitute and unsupported, they immediately came to a proper sense of their situation and submitted. This is so far well: they are, however, lost to us, as I cannot think of taking any of them to Red River settlement.”

Thus ended the insubordination for the time being, and before leaving their quarters on the Nelson River, Macdonell sent to Lord Selkirk, samples of stone and sand which he found there and which he thus describes: “Mr. Bourke, who may justly claim the merit of the discovery, supposes them to be of the most valuable kinds. Diamonds, rubies, etc., etc., and gold dust. Should they be found valuable on their analysis, immediate advantage ought to be taken of it. Your Lordship might obtain a grant of the Nelson with a mile on each

side of it, from the H. B. Co. I have enjoined the closest secrecy on Mr. Bourke, and no person here has the least idea of the matter. We may make further important discoveries in going up." Nothing however, came of this, as the diamonds and rubies did not prove to be genuine.

For several months the colonists remained at York Factory, having returned there from their winter-quarters, and early in July, the party, now much diminished in numbers from one cause or another, made a start for the Red River country, arriving there early in August. The men who composed this band of pioneers, were picked from the party of emigrants who left Stornoway, in July, 1811, on account of their good behaviour and faithful discharge of their duties. They were chiefly men from the island of Lewis, who, although not in any way exempted from the trials and privations undergone by their companions, yet, throughout all these trying times, exhibited an unconquerable spirit of patient endurance and were ever ready to obey their superiors. Mr. Auld, the superintendent, did not overlook this exemplary conduct, for on the first opportunity that offered, he represented these men's good behaviour to the committee, and that honorable body presented, through their agents in Stornoway, each of their parents with the sum of five pounds sterling, as a substantial token of their approbation of the young men's merits.

On the arrival of the first batch of Lord Selkirk's colonists at Red River, in August, 1812, they were met by a party of employés of the North-West Company, disguised in the dress of Indians, who warned them that they were unwelcome visitors. The appearance and manner of the Nor'-Westers seemed to be so hostile and menacing, that the settlers became frightened and ready to adopt any proposition made to them.

for their safety. It was then resolved to move on to Pembina, to which place the disguised Indians offered to conduct them. Accordingly, the Scotch colonists, already nearly worn out with fatigue, were obliged to undertake another journey, almost immediately on their arrival at the Red River, and after much suffering through having to walk the entire distance, they arrived at Pembina, where they passed the winter in tents and huts, and lived on the products of the chase. In May, 1813, they returned to their colony on the Red River, and being undisturbed, commenced the labors of agriculture. For some time the North-West Company did not molest them, and they succeeded in erecting buildings and establishing a post, which was named Fort Douglas, but, the difficulty in procuring sufficient food, dread of the winter, and a desire to husband their seed for another year, caused them to return voluntarily to Pembina, in the Autumn of 1813.

Early in 1813, Lord Selkirk visited Ireland, for the purpose of recruiting colonists for his settlement on the Red River, and in June, a party of Irish emigrants for the Hudson's Bay Company's service, with several newly married couples and young men from the western islands of Scotland, left Sligo. No desertions took place this season, but a mutiny occurred during the voyage, which came near being successful. The mutineers intended seizing the captain and crew, and taking the ship and cargo to some port for the purpose of disposing of them, but their conspiracy being discovered, its accomplishment was prevented, the conspirators overpowered and the ship reached York Factory in safety, during the month of August. A Mr. Owen Keveny* had been placed in charge of

* Mr. Keveney returned to the North-West from Ireland, in the fall of 1815, and the following year, was killed by an Indian, his brutal conduct to the men under his charge, being the cause which led to the murder.

this party by Lord Selkirk, and he, it is said, was somewhat of a martinet in dealing with the colonists, but, judging from the conduct of a few of them during the voyage, it would appear as if the strictest discipline was necessary.

We must now refer to Mr. or rather, Father Bourke, whom we have already mentioned as the individual who found the supposed diamonds and rubies at the Nelson encampment, 1812. It seems that he did not accompany the first party to Red River, but returned to Ireland, when Miles McDonnell wrote of him as follows: "To Mr. Bourke, I have granted leave to go home at his own desire and enclose his letter. He was only an encumbrance to me, irregular and eccentric in conduct as a clergyman. He has no sway over his flock, and religion is turned to ridicule among strangers. If he can do any good to the colony in Ireland, it is well: as a priest, he can be of no service here, particularly in the infancy of the settlement: and I hope Your Lordship will not be in haste to send him out to us."

But it would seem as if Father Bourke accompanied the second party of emigrants in 1813, and it is said married a couple on that occasion at York Factory. He however did not turn up in the ship that brought him out, and never went further inland than the encampment on Nelson River, yet he had the credit of being the first minister of religion from the British Isles who ever set foot on the shores of Hudson Bay.

In October, 1813, Mr. Keveney arrived at Red River with his party and consigned his charge to Miles McDonnell. It is a singular coincidence that the second batch of emigrants had made their way to Pembina like the first, almost immediately after their arrival at Fort Douglas. Provisions had been scarce previous to their coming, but their presence made up

ers worse, and so the whole colony proceeded south to their winter-quarters. The winter proved a hard one, and although in justice to the officers of the North-West Company, it must be said that they assisted the settlers with food, and in other ways the sufferings of the new comers were very great. So much so, that they resolved never to return to Pembina again.

In the meantime, Lord Selkirk was busy at home securing fresh emigrants for his colony, and about that time the Duchess of Sutherland commenced the cruel policy of driving many of her tenants from their once happy homes to make room for extensive sheep-tracts. A number of these unhappy people were induced to join the Selkirk colony, and in the Summer of 1813, sailed from Stromness for Hudson's Bay. During the voyage, fever broke out among the passengers, and when they arrived at their destination, the party of Scotch emigrants were in a dreadful condition, and utterly unfit to undergo the overland journey to Red River, many of them lying before and after landing, and the remainder being so worn out with sickness, were obliged to remain at the Bay the whole of the following winter. From all accounts it would appear that these poor people were not properly cared for by the agents of Lord Selkirk; and that the food and shelter provided were totally inadequate for their comfort or protection from the severities of the weather. After spending a most miserable winter at Churchill and York Factory, the survivors of this third batch of emigrants started in the summer of 1814, for Red River, arriving there early in autumn. A few days after their arrival, each head of a family was put in possession of 100 acres of land, but there were neither implements to till the soil, nor a sufficiency of food to be had.

Added to this the settlement was on the eve of a series of

disturbances which shortly afterwards resulted in the destruction of the colony by the servants of the North-West Company.

It seems that a few months before the arrival of this last batch of emigrants, Mr. Miles McDonell, who had been appointed Governor by Lord Selkirk, issued the following proclamation :

Whereas the Right Honorable Thomas Earl of Selkirk is anxious to provide for the families at present forming settlements on his lands at Red River with those on the way to it, passing the winter at York and Churchill Forts, in Hudson's Bay, as also those who are expected to arrive next autumn, renders it a necessary and indispensable part of my duty to provide for their support. In the yet uncultivated state of the country, the ordinary resources derived from the buffalo and other wild animals hunted within the territory, are not deemed more than adequate for the requisite supply.

Whereas it is hereby ordered, that no person trading furs or provisions within the territory for the Honorable Hudson's Bay Company or the North-West Company, or any individual, or unconnected traders, or persons whatever, shall take any provisions, either of flesh, fish, grain, or vegetable, procured or raised within the said territory, by water or land carriage, for one twelvemonth from the date hereof : save and except what may be judged necessary for the trading parties at this present time within the territory, to carry them to their respective destinations : and who may, on due application to me, obtain a license for the same.

The provisions procured and raised as above shall be taken for the use of the colony : and that no loss may accrue to the parties concerned, they will be paid for by British bills at the

customary rates. And be it hereby further made known, that whosoever shall be detected in attempting to convey out, or shall aid and assist in carrying out, or attempting to carry out, any provisions prohibited as above, either by water or land, shall be taken into custody, and prosecuted as the laws in such cases direct, and the provisions so taken, as well as any goods and chattels, of what nature soever, which may be taken along with them, and also the craft, carriages and cattle, instrumental in conveying away the same to any part but to the settlement on Red River, shall be forfeited.

“Given under my hand at Fort Daer (Pembina)

the 8th day of January, 1814

(Signed) MILES McDONELL, *Governor*.

By order of the Governor.

(Signed) JOHN SPENCER, *Secretary*.

When we take into consideration the fact that Red River was likely at any time to become the only base of supplies for the people of the North-West Company, in the prosecution of their fur trade, it is not surprising to hear that the foregoing proclamation excited the bitterest feelings on their part against the Scotch settlers, added to which, Mr. McDonell had placed arms in the hands of the colonists, and was drilling them regularly as soldiers. For a time after this one disturbance followed another as the governor endeavoured to enforce the provisions of his proclamation, and although bloodshed was happily averted, the condition of the colony grew worse day by day.

Several seizures of provisions from the North-West Company were made by orders of McDonell, and at last, when their traders from the interior, on their way to Fort William, arrived at Red River there were no provisions to carry them on

their journey to their destination. It would not have been surprising if they had endeavoured to take by force the supplies which were stored in the Hudson's Bay Company's fort, and which properly belonged to them, as McDonell had seized them without, as they considered, any authority, but instead of this they made an arrangement with him by which they secured sufficient to take the brigades to Fort William. Here the council of the North-West Company discussed the whole situation, and it was learned that not only had McDonell seized their provisions, but he had sent out directions to the different Hudson's Bay Company's posts to eject the Nor'-Westers and destroy their buildings.

Here is a copy of one of the notices said to have been sent out by McDonell:—

“ You must give them (the North-West Company), solemn warning that the land belongs to the Hudson's Bay Company, and that they must remove from it: after this warning they should not be allowed to cut any timber either for building or fuel. What they have cut ought to be openly and forcibly seized, and their buildings destroyed. In like manner they should be warned not to fish in your waters, and if they put down nets seize them, as you would in England those of a poacher. We are so fully advised by the unimpeachable validity of the rights of property that there can be no scruple in enforcing them, wherever you have the physical means. If they make forcible resistance, they are acting illegally, and are responsible for the consequences of what they do, while you are safe, so long as you take only the reasonable and necessary means of enforcing that which is right.”

No stronger declaration of war could have been framed than the above, and the council of the North-West Company de-

ided to resist, to the utmost of their power, any violence or encroachments on the part of their opponents. It was further agreed to cause the arrest under the Act 43, George III., of James McDonell, and his secretary, Spencer, for what they had already done, and Mr. Duncan Cameron was entrusted with the warrant for their apprehension.

Some idea of the feelings and intentions of the North-West Company about this time may be judged from a letter written by Mr. Alexander McDonell, who was associated with Mr. Cameron at the time, and who afterwards sent down the party of half-breeds, whose action at Fort Douglas caused the death of Governor Semple. The letter is dated August 5th, 1814, and is addressed to his brother-in-law, Mr. Wm. McGillivray.

"You see myself and our mutual friend Mr. Cameron, so far on our way to commence open hostilities against the enemy. Much is expected from us. One thing certain is that we will do our best to defend what we consider our rights in the interior. Nothing but the complete downfall of the colony will satisfy some, by fair or foul means—a most desirable object if it can be effected. So here is at them, with all my heart and energy."

In the meantime the settlers became much dissatisfied with their lot, but bravely bore up against their difficulties, and in the spring of 1815 had resumed their agricultural labors, and were cherishing the hope of future peace and a prosperous summer. But in the midst of this calm, which certainly preceded a storm, Mr. Cameron arrived from Fort William and endeavoured to put his warrant for the arrest of McDonell into force. A fight ensued, in which several were injured and a Mr. Warren killed, when Governor McDonell to avoid further bloodshed, surrendered himself as a prisoner.

After his arrest, Mr. James Sutherland was left in charge, and when that gentleman saw that the colony was utterly at the mercy of the Nor'-Westers, he and Surgeon James White, who was afterwards killed in the Semple tragedy, signed the following agreement on the 25th June, 1815:—

Articles of Agreement entered into between the Half-Breed Indians of the Indian Territory, on one part, and the Honorable Hudson's Bay Company on the other, viz :

1. All settlers to retire immediately from this river, and no appearance of a colony to remain.
2. Peace and amity to subsist between all parties, traders, Indians, and freemen in future throughout these two rivers, and on no account is any person to be molested in his lawful pursuits.
3. The Honorable Hudson's Bay Company will, as customary, enter this river with, if they think proper, three to four of the former trading boats, and from four to five men per boat, as usual.
4. Whatever former disturbance has taken place between both parties, that is to say, the Honorable Hudson's Bay Company and the Half-Breeds of the Indian Territory, to be totally forgot, and not to be recalled by either party.
5. Every person retiring peaceably from the river immediately, shall not be molested in their passage out.
6. The people passing the summer for the Honorable Hudson's Bay Company, shall not remain in the buildings

of the colony, but shall retire to some other spot where they will establish for the purpose of trade.

Chiefs of the Half-Breeds.....	{	CUTHBERT GRANT,
		BASTONNOIS PANGMAN,
		WM. SHAW,
		BONHOMME MONTOUR.
and		
For Hudson's Bay Company.....	{	JAMES SUTHERLAND,
		<i>Chief Factor,</i>
		JAMES WHITE,
		<i>Surgeon.</i>

The result of Cameron's attack on Fort Douglas was the destruction of the settlers' houses, and the breaking up of the colony. Some of the colonists entered the service of the Hudson's Bay Company; others repaired to Jack River, on Lake Winnipeg, one or two returned to York Factory, a few remained, and about fifty families were, at their own solicitation, conveyed to Canada by the North-West Company, and landed at York, now the city of Toronto, and it seemed for the time being as if Lord Selkirk's colony was at an end. Governor McDonell and his secretary, Spencer, were never brought to trial, as there appeared to be no hope of obtaining a conviction against them under the peculiar circumstances of the case, and the prosecution was dropped.



CHAPTER XI.

CONTEST BETWEEN THE HUDSON'S BAY AND NORTH-WEST COMPANIES.

THE Hudson's Bay Company now interposed, and their protection, the Scotch settlers were brought back Jack River to Fort Douglas, but their trials and vicissitudes were not at an end. On the 5th November, 1815, a fresh party of emigrants arrived, having left Stromness on the previous 15th June, and, like their predecessors, the colonists found no preparation had been made for their reception. Instead of a thriving settlement, they found houses in ruins, and a scene of desolation, where they expected to see a prosperous community, but worse than all, there was no food to feed them, and in consequence, they had to continue their journey in company with those who had returned from Jack River. In the cold and snow, to Pembina. Here they set to work to build rude huts to shelter themselves, but in a month or so they left these temporary houses, and journeyed to the plains in the hope of procuring food, there being a scarcity of provisions at Pembina, and no means of procuring any nearer that place. These unfortunate people had to journey a distance of one hundred and fifty miles, and as they were ill-provided with suitable clothes to protect their persons from the weather, they suffered dreadfully. Meeting with a party of hunters, they remained with them during the winter, performing

work as they were capable of doing, in return for which they were fed and sheltered until the spring, when they returned to Pembina, and from thence descended the Red River by water in April to Fort Douglas. They then began to cultivate the soil, and everything appeared propitious to their becoming comfortably settled in their new home, when, on the 19th June, 1816, an event happened which once more brought desolation to the colony.

The high-handed proceedings of Miles McDonell, and the subsequent aggressive policy of the Earl of Selkirk, created very bitter feelings between the officers of the Hudson's Bay and North-West Companies, and several collisions took place, resulting in loss of life and property on both sides. Lord Selkirk's policy was to extend the trade of the Hudson's Bay Company into distant parts hitherto monopolized by the rival Canadian association, and for this purpose he, in 1814, despatched a Mr. James Sutherland to Montreal to engage agents there for the prosecution of this new departure in trading. Mr. Colin Robertson was induced to enter the service, and to him Lord Selkirk entrusted the chief management of the undertaking. French-Canadians, who had been employés of the North-West Company, were engaged instead of Orkney men, and in May, 1815, a brigade of twenty-two canoes, manned by these veteran voyageurs, left Lachine, bound for the north. At Jack River they took on the supplies which had been brought from York Factory and stored there, and then forming into different bands, they proceeded, some to Athabasca district, others to the Lesser and Greater Slave Lakes, and a third party, under command of Mr. Clarke, who was one of Mr. Astor's partners in the Pacific Fur Company, went up the Peace River. This first attempt to penetrate the

northern districts was, however, only partly successful to the lateness of the season when the brigades reached their destination, and the lack of provisions, which, owing to the opposition of the North-West Company, the new company found great difficulty in obtaining from the Indians.

In the meantime, Mr. Robert Semple was appointed Governor-in-chief of the northern department, and was invested with powers far exceeding those conferred on any of his predecessors in office, as will be seen from the following resolutions taken from resolutions passed by the stockholders of the Hudson's Bay Company on the 19th May, 1815.

These are the extracts :

First—That there shall be appointed a Governor-in-chief of the northern department, who shall have paramount authority over the whole of the territory of the Hudson's Bay.

Secondly—That the Governor, with any two of his Councils, shall be competent to form a Council for the administration of justice, and to exercise of the power vested in them by charter.

Thirdly—That the Governor of Assiniboia, and the Governors of the other districts within their respective districts, and with any two of the Councils, shall have the same power ; but their power shall be suspended while the Governor-in-chief is actually present for judicial purposes.

Fourthly—That a sheriff be appointed for each of the districts of Assiniboia and Moose, and one for the remainder of the company's territory, for the execution of all such processes as shall be directed according to law.

Fifthly—That in the case of death, or absence of any of the Sheriffs, the Governor-in-chief shall appoint a person to do the duties of the office till the pleasure of the company be known.

In the spring of 1816, Governor Semple, while on his annual inspection visiting the different posts of the company, met Mr. Colin Robertson in charge at Fort Douglas, and a quarrel between the two gentlemen, being a thorough fur trader, at once determined to declare open war against the servants of the North-West Company in his vicinity. His efforts were particularly

against Mr. Duncan Cameron, who had caused the arrest of Miles McDonell, and on the 17th March an attack was made on Fort Gibraltar, the headquarters of the Nor'-Westers, where Mr. Cameron was stationed. That gentleman and all his clerks were taken prisoners and placed in confinement, much to their surprise, as the assault made on them was entirely unexpected. The North-West Company's express bearing the mail from Fort William was captured, the letters confiscated, and all the arms, goods, and furs in Fort Gibraltar taken possession of. Mr. Cameron protested strongly against these high-handed proceedings, and demanded restoration of the fort and other property, but he was told by Mr. Robertson that as Gibraltar was the key of the Red River, the Hudson's Bay Company was resolved to keep it at all hazards. A force of Mr. Robertson's men fully armed was stationed at the spot to guard the prisoners and prevent the place from being re-taken, and attacks were then made on other stations belonging to the North-West Company, and their servants driven from their homes. Property belonging to the Canadians was confiscated right and left, and for a time the power of the Nor'-Westers seemed to be broken in that part of the country. An attempt was even made to capture the N. W. Post at Qu'Appelle, but without success, and Mr. Alexander McDonell, who was in charge, determined to resent the insult and repair the losses inflicted upon his company, as he realized the importance of the step taken by Mr. Robertson, and the disastrous effect it would have on the whole inland trade of his company unless it was thwarted. Fort Douglas being armed with artillery, and situated close to the river bank, commanded a position which would enable the Hudson's Bay Company to intercept all intercourse by water between Fort William and the interior posts. It was

therefore of the utmost importance to regain possession of Fort Gibraltar, and in order to accomplish this he sent messengers to the North-West agents on the Saskatchewan and Sweetwater Rivers to send him a force of men for the purpose. His appeal for assistance met with a favorable response, and a number of men, chiefly French half-breeds, were sent to him. But Mr. Robertson, hearing of this force collected to attack him, once tore down Fort Gibraltar, and then left the Red River for York Factory, taking Mr. Cameron with him as prisoner. Governor Semple, returning from his trip, took command at Fort Douglas. Mr. McDonell had learned that a brigade of North-West boats was expected to arrive in the Red River about the 20th June, and as he knew that the Hudson's Bay Company were in a position to intercept and probably capture the supplies, he undertook to send a party to open communication by land between Lake Winnipeg and the stations on the Assiniboine. For this purpose a band of about sixty half-breeds and Indians on horseback was sent with instructions to pass at a distance behind Fort Douglas, which no doubt was the programme intended by Mr. McDonell, and was the wisest course to pursue, because any attempt to take the stronghold of the Hudson's Bay Company, strongly fortified as it was, would have been a useless sacrifice of life. One section of McDonell's men succeeded in passing Fort Douglas unperceived, and once made an assault on the settlers' houses along the river. The second section, however, when passing the fort on the 19th June, 1816, was discovered by Governor Semple and his men, who, supposing that it was either an attack on the settlement, or a party going to join the expected brigade from Fort William, left the fort with about twenty-seven of his followers to meet the North-Westerns, and on coming up to them, and

words passed, followed immediately by the discharge of firearms and a general fight between the two parties. Governor Semple was wounded, and several of his men killed at the very commencement, and afterwards a slaughter of nearly the whole of the Hudson's Bay Company people took place, twenty-one of them being either slain outright or wounded. Different versions of who fired the first shot have been given, but the exact truth of the matter will never be known. Governor Semple's party was composed of raw and inexperienced men, mostly youths utterly unable to cope with the fierce half-breeds and Indians opposed to them, and this no doubt accounts for the large number killed on the side of the Hudson's Bay Company people, while the Nor'-Westers only lost one man killed and another wounded. Governor Semple, although not mortally injured in the fight, was afterwards shot dead by an Indian, and many of the killed were barbarously treated by the half-breeds and savages, although Mr. Cuthbert Grant, who commanded the party, did all in his power to prevent any undue cruelty on the part of his men. After the death of Semple there was a disposition on the part of the settlers, most of whom had crowded into the fort, to resist any further attack on the part of the Nor'-Westers, but having heard of a movement of armed men to reinforce Grant, and fearing that they could not hold out against large numbers, they finally agreed to capitulate, and Mr. Alex. McDonell, who took charge on the death of Semple, gave up Fort Douglas to the North-West Company, taking, however, an inventory of all it contained, for which he received a receipt from Mr. Grant.

The settlers now looked upon their prospect of success in the colony as almost hopeless, and embarking on boats furnished by the Nor'-Westers, they bade adieu to the settlement

and proceeded to Jack River, where most of them remained until the following year, when they returned to Red River under the protection of Lord Selkirk and his company of Meurons.

While these contests between the servants of the two companies were taking place on the Red River, the same spirit of antagonism was shown in carrying on the trade of the interior, and in the far west and north, outrages on each other were of frequent occurrence. The worst feature, however, was the employment of Indians, chiefly by the Hudson's Bay Company, to attack the fur posts of their rivals, and so bitter did this mode of warfare become that it finally interfered to a great extent with the profitable prosecution of the fur trade.

During the winter of 1815-16, Lord Selkirk paid a visit to Montreal, for the purpose of enlisting recruits for his service, and it appears that overtures were then made to him by the North-West people, for a coalition of the two companies. These advances were, however, scouted by the Earl who no doubt, at that time, saw his way to force his rivals to retire from the field. Not only did he engage a large number of voyageurs, but he also enlisted about 100 veterans who had served in de Meuron's regiment and acted as mercenaries in the French army during the war in Spain. They were, from all accounts, a reckless and licentious set of men, ready to undertake any enterprise of doubtful character, so long as they were paid for it. The employment of these soldiers and the activity displayed by Lord Selkirk in sending off brigades of canoes to reinforce his traders in the far north, caused the North-West Company to become exceedingly apprehensive of the ruinous consequences likely to ensue to their trade, and in February, 1816, they addressed a letter to the Secretary of State on the subject.

In this letter they say: "We do not presume to point out the particular proceeding which in this case would be satisfactory to ourselves. Our sole object is to put an end to violence and bloodshed, and we are perfectly satisfied that in the discussion to which such proceedings must give rise, the interests of His Majesty's Canadian subjects will at least meet with as favorable consideration as those of their opponents."

On the 1st March following, they addressed another letter to the Secretary of State, from which the following extract is taken: "We do not venture to suggest the remedy it may be in their power, or may appear eligible to His Majesty's Government, to provide in this case, but we are certain, if some measures be not adopted to define, without delay, the limits, power and authority of the Hudson's Bay Company, a contest will ensue in the interior, the results of which will be dreadful, with respect to the loss of lives and property."

These appeals to the Home Government, however, went unheeded as far as any action being taken, and Lord Selkirk, having dispatched his brigades of canoes from Lachine, soon after followed with his force of de Meurons, fully armed and equipped for service. He, himself, was appointed Justice of the Peace for the Indian Territories, and for Upper Canada, a position which added much to his power and authority.

One of his Lordship's brigades of canoes was commanded by Miles McDonell, the ex-governor of Assiniboia, and this gentleman on arriving at Lake Winnipeg heard for the first time of the unhappy event resulting in the death of Mr. Semple, which had taken place on the 19th June. He at once retraced his steps to Lake Superior, and, meeting Lord Selkirk at Sainte Marie, informed him of the circumstance, and, as might be ex-

pected, the information did not tend to improve his Lord's feelings toward the North-West Company. At the time he was waiting at Sainte Marie for an expected addition to his forces, and for some artillery and provisions on the way across Lake Huron, and it has even been hinted that his purpose was to make an attack on, and capture, Fort William, headquarters of his rivals. Be this as it may, the information conveyed to him by Miles McDonell furnished in his eyes a sufficient reason for adopting retaliatory measures, and as soon as his reinforcements arrived he proceeded at once to put his plan in force.

Arriving in the Kaministiquia river about the middle of August, he at once arranged his men and artillery, so as to command the approaches to Fort William, the cannon being loaded and pointed as if for a siege and bombardment of the place. On the following day, two men acting as constables entered the fort and arrested Mr. William McGillivray, who was in command, soon after which Lord Selkirk arrived, placing the principal officers in confinement, took possession. The place was then searched, and all the furs, valued at \$60,000, and other property seized, notwithstanding the fierce protests of the North-Westers against such proceedings. He then next decided to take the North-West officers to Montreal for trial, and accordingly they were sent off in canoes under the charge of a guard of Selkirk's men, the Hudson's Bay Company's force in the meantime remaining in possession of the fort. The charge upon which Lord Selkirk arrested the officers was based on the plea that they in some way were connected with or instrumental in bringing about the outrage committed on the Earl's property in June, but this, it is apparent, was only a pretext to serve Lord Selkirk's purpose.

McGillivray and his companions on reaching Montreal being admitted to bail, swore out warrants for Lord Selkirk's arrest, but when the constable arrived at Fort William to execute them, he found himself made prisoner, his authority treated with contempt, and in a few days he was turned loose and ordered to return the way he came.

Lord Selkirk now remained monarch of all he surveyed, and not content with taking possession of Fort William, sent out parties to capture other posts belonging to the rival company. In this way the trading stations at Fond du Lac, Michipicoton, and the fort at Lac la Pluie, fell into his hands, after which a company of de Meurons, under command of Captain D'Orsonnens made their way to Red River to retake Fort Douglas. This was accomplished in true military style by taking advantage of a dark and stormy night, when the de Meurons approaching the fort, succeeded in scaling the walls before the garrison was even aware of their presence in the neighborhood. Taken thus by surprise, the Nor'-Westers yielded without firing a shot, and Fort Douglas once more passed into the hands of the Hudson's Bay Company.

Soon after this, steps were taken to bring back the Scotch settlers from Jack River, and these poor people, after undergoing great hardships during the winter while in exile, were glad of the opportunity to re-occupy the lands from which they had been so unceremoniously and summarily ejected.

In the meantime the acts of robbery and bloodshed on the part of the two companies—the brutal massacre of the 19th June, and the subsequent high-handed proceedings of Lord Selkirk at Fort William, had at length roused the Imperial authorities to the necessity of taking steps to put a stop to further outrages of the kind. Accordingly, in February, 1817,

the Governor-General of Canada received a despatch from the Home Government containing the following words :

“ You will also require, under similar penalties, the restitution of all forts, buildings or trading stations, with the property which they contain, which may have been seized or taken possession of by either party, to the party who originally established or constructed the same, and who were in possession of them previous to the recent disputes between the two companies. You will also require the removal of any blockade or impediment, by which any party may have attempted to prevent the free passage of traders, or others of His Majesty’s subjects, or the natives of the country, with their merchandise, furs, provisions and other effects throughout the lakes, rivers, roads and every other usual route or communication heretofore used for the purpose of the fur trade in the interior of North America, and the full and free permission of all persons to pursue their usual and accustomed trade without hindrance or molestation. The mutual restoration of all property captured during these disputes, and the freedom of trade and intercourse with the Indians, until the trials now pending can be brought to a judicial decision, and the great question at issue, with respect to the rights of the companies, shall be definitely settled.”

The Governor-General then appointed Colonel Coltman and Major Fletcher, two military gentlemen of high character, to act as commissioners, in conformity with the above despatch. These gentlemen left Montreal in May, 1817, and proceeded at once to Fort William, which, however, had in the meantime been handed back to the North-West Company. It appears that after Lord Selkirk left for Red River, the sheriff of Upper Canada, by virtue of a writ of restitution, took pos-

session and restored it to its original owners, and the commissioners (Coltman and Fletcher), finding this to be the case, proceeded on to Red River, arriving at Fort Douglas while Lord Selkirk was still there. They immediately proceeded to execute their commission, and compelled each party to make restitution, as far as possible, and restore the property taken from their opponents. Fort Gibraltar had been destroyed, but the North-West Company at once went to work to erect buildings for carrying on their trade, and Lord Selkirk devoted himself to arranging his colony and making provision for the de Meurons, according to the contract he had made with them. This he did by allotting to each one a plot of land, around Fort Douglas and on the opposite side of the river, within easy call, the officers being stationed among them. In this way Lord Selkirk had his military friends placed, so that in case of any necessity arising for calling in their assistance, a signal from headquarters would enable the whole body to join their commanders in the fort at short notice. He then assembled the settlers at a public meeting, and made them several concessions, amongst which may be mentioned free grants of land for church and school purposes. Public roads, by-roads, bridges, mill sites, and other important matters were settled, and the colonists, encouraged by these marks of care for their welfare, set to work to erect buildings and otherwise improve the settlement.

The terms on which the settlers had agreed to come out to Red River were as follow :—

First—They were to enjoy the services of a minister of religion, who was to be of their own persuasion.

Second—Each settler was to receive 100 acres of land at five shillings per acre, payable in produce.

Third—They were to have a market in the colony for all their produce.

Fourth—They were to enjoy all the privileges of British subjects.

In regard to the first clause, a Mr. Sage, son of Rev. Alexander Sage, of the parish of Kildonan, north of Scotland, was engaged by Lord Selkirk to go out and minister to the settlers, but for some reason he did not fulfil his engagement, and a Mr. James Sutherland, an elder in the Presbyterian Church, was appointed to marry, baptize and attend to other ministerial duties. The land, mentioned in the second clause, was given to the settlers free of charge, to compensate them for the many hardships and severe trials they had suffered, but whether the fulfilment of the third and fourth clauses was ever truly carried out is a question open to doubt. Lord Selkirk, having done all in his power, during his visit to Red River, in 1817, for the good of his people, next turned his attention to the Indians, and in so doing shewed a desire to protect his colonists from any chance of attack by the savages through disputes in regard to the ownership of the land.

Accordingly, he called the Indians of the neighbourhood together within the walls of the fort, and, after giving them presents, concluded the following treaty with them.—

“THIS INDENTURE, made on the 18th day of July, in the fifty-seventh year of the reign of our Sovereign Lord, King George the Third, and in the year of our Lord 1817, between the undersigned Chiefs and Warriors of the Chippeway or Saulteaux Nation, and of the Killistins or Cree Nation, on the one part, and the Right Honorable Thomas Earl of Selkirk, on the other part. Witnesseth, that for and in consideration of the annual present or quit rent hereinafter mentioned, the said Chiefs have given, granted, and confirmed, and do by these presents give, grant, and confirm unto our Sovereign Lord, the King, all that tract of land adjacent to Red River and Assiniboine River, beginning at the mouth of the

Red River, and extending along the same as far as the great Forks at the mouth of Red Lake River, and along Assiniboine River as far as Muskrat River, otherwise called Riviere des Champignons, and extending to the distance of six miles from Fort Douglas on every side, and likewise from Fort Daer (Pembina), and also from the Great Forks, and in other parts extending in the breadth to the distance of two English statute miles back from the banks of the said rivers, on each side, together with all the appurtenances whatsoever of the said tract of land, to have and to hold for ever the said tract of land and appurtenances, to the use of the said Earl of Selkirk, and of the settlers being established thereon, with the consent and permission of our Sovereign Lord, the King, or of the said Earl of Selkirk. Provided always, that these presents are under the express condition that the Earl, his heirs and successors, or their agents, shall annually pay to the Chiefs and Warriors of the Chippeway or Saulteaux Nation the present, or quit rent, consisting of one hundred pounds weight of good merchantable tobacco, to be delivered on or before the tenth day of October, at the Forks of Assiniboine River; and to the Chiefs and Warriors of the Kinstineaux or Cree Nation, a like present, or quit rent, of one hundred pounds of tobacco, to be delivered to them on or before the said tenth day of October, at Portage de la Prairie, on the banks of Assiniboine River. Provided always that the traders hitherto established upon any part of the above mentioned tract of land shall not be molested in the possession of the lands which they have already cultivated and improved, till His Majesty's pleasure shall be known.

"In witness whereof the Chiefs aforesaid have set their marks at the Forks of Red River, on the day aforesaid.

"Signed, SELKIRK.

"Signed in presence of Thomas Thomas, James Bird, F. Matthey, Captain; P. D. Orsonnens, Captain; Miles McDonell, J. Bste Chr De Lovimier, Louis Nolin, Interpreter; and the following Chiefs, each of whom made his mark, being a rude outline of some animal.

"Moche W. Keocab (Le Sonent); Ouckidoat (Premier *alias* Grande Oreilles); Mechudewikonaie (La Robe Noire); Kayajic'ebinoa (L'homme Noir); Pegowis."

It may here be said that the Saulteaux Indians who are mentioned first in the above treaty, had no real claim to the lands on the Red River, while the Crees, who are mentioned last, have been, since the memory of man, the rightful inhabitants of this part of the country. The Crees afterwards took great umbrage at this feature of the treaty, and often threat-

ened to withdraw from it and claim their lands from the settlers, a threat, however, which they never put into effect.

Lord Selkirk, having thus arranged for his soldiers, the fare of his colonists, and a settlement with the Indians, bade adieu to Red River, and, accompanied by a guide and a few gentlemen, passed south through Dakotah, and making his way to New York, embarked for England without visiting Canada, the numerous lawsuits with which he was threatened, doubt, inducing him to take this course.



CHAPTER XII.

COALITION OF THE HUDSON'S BAY AND NORTH-WEST COMPANIES.

THE effect produced by Messrs. Coltman & Fletcher's mis- was not of a lasting character, for we find that in 1819 William Williams, the superintendent of the northern department of the Hudson's Bay Company, undertook to intercept and capture the North-West Company's canoes on their way to Fort William. By means of a body of armed Indians, he surprised the brigade at Big Fall, as they were preparing to pass over the portage, and on this occasion, Messrs. Angus Shaw, John George McTavish, John Duncan Campbell, William McIntosh, and Mr. Frobisher, officers of rank in the North-West Company, were taken prisoners. Their goods were confiscated, and most of the voyageurs and men were sent to Canada, while of the officers, Messrs. Shaw and McTavish were sent to England, and Campbell and McIntosh to Canada. Mr. Frobisher managed to escape from his captiv- and, in attempting to make his way to Moose Lake, perished from hardships and exposure. In the far west and north, the same state of bitter rivalry continued, and there was little prospect of it ceasing so long as Lord Selkirk remained at the head of the Hudson's Bay Company.

The trials that took place at York (Toronto) and in Lower Canada must have cost both sides a great deal of money.

The cases relating to the Semple tragedy were not tried until 1818, owing to Lord Selkirk's action in retaining the evidence upon which the prosecution depended to conduct them. Application was made to the Governor-in-chief of Canada, in March, 1817, to have them removed to upper Canada, and this also caused delay, because His Excellency judged it expedient to consult the Home Government in the matter. A favorable reply was received on the 24th October, and great seal instruments issued to try the cases at York, but owing to the information being in the hands of Lord Selkirk, who neglected to furnish it although called upon to do so, the trials could not be proceeded with. His Lordship, moreover, had gone to England without visiting Canada, and on the 19th June, 1818, the Attorney-General of Lower Canada, in reporting to the Governor-in-chief, in reply to remonstrances against the delay, says, "The private prosecutor, the Earl of Selkirk, who alone possessed the evidence in support of these prosecutions, had been absent from the Province, and since his return had been very much occupied with the sittings of Criminal Courts both at Quebec and Montreal."

The high-handed proceedings of His Lordship, and the outrages committed by the North-West Company, resulted in a series of law suits, which only served to increase their animosity toward each other, and the reports of the trials indicate very clearly the bitter feeling existing at the time between the contestants.

The Nor'-Westers were finally brought before the court at York, and indictments found against them for participating in the affairs of 11th June and 28th June, 1815, and for larceny at Rivière Qu'Appelle on 12th May, and the Semple outrage on 19th June, 1816, but the jury in each case brought in a

verdict of not guilty. Mr. Wm. McGillivray, who had been waiting two years for trial, could not get his case brought on, which was a great hardship to him, having a serious charge hanging over his head in this way. He then caused Lord Selkirk, Miles McDonell, and eighteen others, to be indicted for the part they took in the Fort William affair, the accusation being laid in the following words:—"The engaging and arming a number of disbanded soldiers (foreigners): the entry by them, with force and arms, into Fort William, in August 1816, retaining possession of the fort till May, 1817: sending off as prisoners the partners of the North-West Company found there: getting rid of the clerks by subpoenas to appear at York at a period when no courts are held there, without enquiring whether they knew anything of the matter to which the subpoenas related, and without ever bringing them forward afterwards: stopping of the outfits from going into the interior, and the returns from coming to Montreal: possessing themselves of all the books and papers of the concern: sending away the principal clerk under a charge of felony, without examination, and without having ever followed up that charge: the pretended sale by Daniel Mackenzie of the North-West property obtained by His Lordship by means of continued duress: tampering with and debauching the North-West Company's servants, and commanding them in the King's name: writing circular letters to the partners and clerks in the interior country, alleging that the North-West Company were ruined, and advising them to abandon their trust, and to carry the furs to Hudson's Bay: taking possession of Lake la Pluie and the property there, and stopping the navigation, etc."

We give the above in full, to show to what extent Lord Selkirk was ready to go in his opposition to his rivals, but, as we

have already shewn, the North-West Company were prepared to go, and in fact did go, quite as far in their attempts to injure the Hudson's Bay Company.

Lord Selkirk had also several civil suits entered against him, one of which was by Wm. Smith, the constable whom he ejected from Fort William, and the information in this case was as follows:—"Mr. Smith got to Fort William on the 19th March, 1817, and produced his restitution, with which his Lordship refused to comply, and when the Earl and the others were arrested by Mr. Smith upon the warrant for felony, his Lordship laid hold of him and pushed him out of doors, and he was afterwards kept in close custody in the fort under a military guard." Mr. Smith received a verdict of £500 damages against the Earl.

Mr. Daniel Mackenzie also entered suit against Lord Selkirk in the following words:—"Civil action for false imprisonment of the plaintiff, a retired partner in the North-West Company, by the Earl, at Fort William, where he was thrown into a dungeon, and kept there under military guard until he was induced (believing his life to be in danger) to sign various deeds prepared for the purpose, purporting to be sales of the North-West Company's property, a bond of arbitration, etc., under color of which Lord Selkirk retained possession of the fort and its contents, to the value of full one hundred thousand pounds."

Mr. Mackenzie received a verdict against his Lordship for £1,500.

It would occupy too much space to give further particulars of the various trials and outcome of the contests between the Hudson's Bay and North-West Companies, but sufficient has been given to show that they were not only expensive, but also calculated to widen the breach between his Lordship

and his opponents, and to make a union of the two interests most impossible.

During this state of affairs, the Red River colony continued to endure hardships, and one set-back after another occurred to the settlers. In the winter of 1817 they were forced to go again to Pembina, owing to scarcity of food, but on their return to the settlement in the spring, having procured seed, they managed to plant a considerable area of land. The summer was favorable, and the fields soon assumed a promising appearance. But on the 18th July, 1818, the sky suddenly came darkened by clouds of grasshoppers, and as they descended upon the earth in dense swarms, they destroyed everything before them. The colonists managed to secure a little grain from their spring work, but not a vegetable was left in their gardens. It seemed as if the hand of fate was against the Selkirk settlement, and once more, just as everything was looking bright for them, darkness came in a day, and they were forced to again turn their steps to Pembina for refuge. At this time, in the midst of the Scotch settlers' distress, a few French families from Lower Canada, under the impulse of Rev. Joseph Nibert Provencher, and the Rev. Père Dumoulin, arrived at Red River, and accompanied the Scotch settlers south to their temporary home. This was the first serious attempt of the Church of Rome to establish itself in the North-West, and from it spread the great chain of missions to the west and far north. Early in the spring of 1819, the Scotch returned to the settlement, leaving some of the Canadian families to locate their homes at Pembina, but they had no better success with their crops that summer than they had the previous year, for almost before they had finished sowing, the invading locusts began to appear, and devoured every green herb

that grew on the cultivated fields and on the plains. This blow almost made the colonists despair of ever being able to make a home on the Red River, and, wearied and discontented, they were forced again to turn their steps south for the winter. Many went to the plains to hunt for a living, and in this way they struggled along for several years, endeavoring during the summer to raise a crop on the Red River, and being obliged through the ravages of the grasshoppers, to winter at Pembina, or on the plains, to obtain food. Some worked for the Hudson's Bay Company as voyageurs and laborers, and others became good hunters, and it was not until 1822 that famine with all the evils that follow in its train, were banished from the land. By this time, the colony consisted of a mixture of nationalities, there being Scotch, Irish, French, German and Swiss settlers living on the Red River.

In 1820, the Earl of Selkirk died, and from that time the prospect of a union of the two fur companies became possible. So firm had his Lordship been in the belief that he would be able to bring about the destruction of the North-West Company, that repeated offers of a coalition had been rejected by him. In 1810 he distinctly refused to entertain the idea, and in 1814 he submitted conditions so utterly unreasonable that the North-West Company gave up hope of bringing about an amalgamation. But on his death efforts were renewed, and chiefly through the instrumentality of Right Hon. Edward Ellice, a union on equal terms took place in 1821. The Decree Poll relating to this arrangement was dated 26th March of that year, and was made between the Hudson's Bay Company on the one part, and on the other by W. and S. McGillivray and Edward Ellice, who represented in England the interests of the wintering partners in America of the North-West

traders—whose partnership as a company expired in 1821—and who, having received little or no profits for some time, were desirous of merging their interests in those of the Hudson's Bay Company. A coalition and partnership was therefore agreed to for twenty-one years, on the basis that each should provide an equal capital for carrying on the trade. There was a subsequent Deed Poll, bearing date 6th June, 1834, "for ascertaining the rights and prescribing the duties of the chief factors and the chief traders, and for conducting the trade."

The expenses of establishments in England and America were to be paid out of trade, and no expense relating to colonization, or to any business separate from trade, was to form a charge on the concern. The profits were to be divided into 100 shares, of which forty were to be divided between chief factors and chief traders, according to profit and loss, and if a loss should occur in one year on those forty shares, it was to be made good out of the profits of the following year. A general inventory and account was to be made out yearly on the 1st June, and, if profits were not paid to parties within fourteen days after that date, interest was to be allowed at the rate of five per cent.

At the time of the union, there were twenty-five chief factors and twenty-eight chief traders appointed, who were named in alternate succession from the Hudson's Bay Company and North-West Company's servants. The servants of both companies were placed on an equal footing, the 40 shares out of the 100 being subdivided into 85 shares, each of the 25 chief factors receiving 2 or $\frac{2}{5}$ ths, and each of the chief traders $\frac{1}{3}$ th, the remaining seven out of the eighty-five shares being appropriated, to old servants in certain proportions, for seven years.

The chief factors superintended the business of the company at the respective stations, and the chief traders under them carried on the trade with the Indians. The clerks served under both, and the humblest of these, by good conduct, might rise to the chief positions in the service, the salaries ranging from £20 to £100 per annum.

The chief factors and traders, who wintered in the interior, were allowed, in addition to their share of profits, certain personal necessaries free of charge, and were not permitted to carry on any private trade for themselves with the Indians. Strict accounts, etc., were required of them annually, and the councils at the respective posts had power to mulct, admonish, or suspend any of the company's servants.

Three chief factors and two chief traders were allowed to leave the country annually for one year. A chief factor or a chief trader, after wintering three years in the service of the company, might retire, and hold his full share of profits for one year after retiring, and half the share for the four ensuing years, or if he wintered for five years, then half for six years. Three chief factors, or two chief factors and two chief traders, were allowed to retire annually, according to rotation, and the representatives of a chief factor or chief trader, who died after wintering five years, received all the benefit to which the deceased himself would have been entitled had he lived, or in like proportion for less duration of service.

The accounts were required to be kept with accuracy, the business conducted with punctuality, and the whole machinery of the company worked with order and economy, under the watchful care of a Governor and Committee in London.

Such is a synopsis of the plan under which the newly organized company was to be conducted, and whatever the pro-

might be, after paying the whole expenses at home and abroad, they were to be divided, according to the provisions of Deed Poll, into fifths, of which three went to the proprietary, and two among the chief factors and chief traders of company, instead of salaries.

Soon after the coalition of the two companies, on the 5th of January, 1821, a Royal license was obtained from George the Fourth, dated at Carlton House. This was issued to the Hudson's Bay Company and to W. & S. McGillivray and Edward Ellice, for the exclusive privilege of trading with the Indians in all such parts of North America as should be specified, notwithstanding part of the lands or territories heretofore granted to the Governor and Company of Adventurers of England, trading to Hudson's Bay (a direct recognition of the charter of 1670 by the Crown). This Royal license was expressly issued to prevent the admission of individual or associated bodies to the North American fur trade, as the competition therein had been found for years to be productive of great inconvenience and loss, not only to the Hudson's Bay Company associations, and to the trade in general, but also of great injury to the native Indians and others. This license expired in 1842, but before its expiration, an extension was granted by Queen Victoria, on May 30th, 1838, dated at Buckingham Palace, for a further term of twenty-one years, and on this occasion, it was issued to the Hudson's Bay Company alone (Messrs. McGillivray and E. Ellice having surrendered their rights and interests under the previous license), to encourage the trade with the Indians of North America, and to prevent, as much as possible, a recurrence of the evils referred to in the previous grant.

By the licenses of 1821 and 1838, the Company were author-

ized to trade over the "Indian territories," west of the Rocky Mountains, at that time open also to subjects of the United States. It was of great importance that Great Britain should obtain a footing and position in Oregon, and on the Columbia River, which Mr. Canning had expressed his determination to maintain as British property. We have already shown the efforts made by the North-West Company to establish that trade, and after the coalition, the Hudson's Bay Company incurred large expenditure in establishing themselves on the coast of the Pacific.

For many years previous to the grant of exclusive trade to the Hudson's Bay Company, the chief trade of that coast was done by the Americans and Russians, the only establishment of any importance occupied by British traders being Fort George (Astoria), at the mouth of the Columbia River, while no attempt was made, by means of shipping, to obtain any part of the trade. So unprofitable was it in 1818, 1819, 1820, 1821 and 1822, and so difficult of management, that several of the leading and most intelligent persons in the country, strongly recommended that the company should abandon it altogether. But the Governor and committee felt that the honor of the concern would, in a certain degree, be compromised were they to adopt that recommendation, holding, as they did, the license in question: and, with a degree of energy and enterprise which reflected much credit on themselves and on their officers and servants, they directed themselves vigorously to the Pacific department of the business.

As already mentioned, the supreme control of the Hudson's Bay Company affairs was vested in a council, or committee, sitting in London. This committee consisted of five members who were presided over by a Governor and Deputy-Governor.

and after the coalition these functionaries delegated their authority to an official resident in America, who was called the Governor-in-Chief of Rupert's Land, and whose commission extended over all their colonial possessions, with an unlimited tenure of office. The first person to fill this high office was Sir George Simpson, who retained the position until he died, in September, 1860, a period of nearly forty years. He absorbed all the offices and responsibilities distributed among petty heads at the various posts, and during his long term of office he exerted an autocratic and supreme authority, it being impossible to overrule his final judgment or decision.

His council, which was composed of "chief factors," with occasionally a few "chief traders," met usually at Norway House, at the northern end of Lake Winnipeg, which then became the distributing point for the whole country. Brigades started from here to the Rocky Mountains, Cumberland, English River, Athabasca, Mackenzie's River, Swan River, Red River and Rainy Lake, supplying the various posts in the districts which were separated by distances of from fifty to three hundred miles.

The chartered territories and circuit of commercial relations were divided into vast sections, and known as the Northern, Southern, Montreal and Western Departments. The northern extended between Hudson's Bay and the Rocky Mountains, the southern between James' Bay and Canada, including part of the eastern shore of Hudson's Bay. The Montreal department represented the business of the company done in Canada, and the western comprised the region west of the Rocky Mountains. The principal depôts, in these departments, for the reception and distribution of supplies and collection of furs, were York Factory in the northern department, Moose

Factory in the southern, the City of Montreal in Canada, and in the western department Victoria, on Vancouver Island, was constituted the head depot.

The council rarely interfered with the affairs of the Red River settlement, which were managed by another body, called the "Governor and Council of Assiniboia," and up to 1848 the presiding officer was often the one in charge of the company's trading interests in the colony. Up to 1822 only two persons had held the office, viz.: Captain Miles McDonell, from August, 1812, to June, 1815, when he was sent a prisoner to Montreal, and Mr. Alexander McDonell, from August, 1815, to June, 1822. Capt. A. Bulger succeeded Mr. Alex. McDonell, and acted as governor just one year, until June, 1823.

In 1820, Rev. John West was appointed Chaplain to the company, and on the 27th May, that gentleman embarked on board ship at Gravesend bound for Hudson's Bay, his instructions being to reside at Red River Settlement, and, under the encouragement and aid of the Church Missionary Society, to endeavor to meliorate the condition of the native Indians. This gentleman was a zealous worker, and during the year he remained in the country laid the foundation for much good to follow: but as we intend later on to take up the subject of Church Missions, we will proceed with our regular narrative. Before doing so, however, it may be mentioned that the Scotch settlers remained in a state of disappointment, because no minister of their own faith was sent out to them, especially as a petition sent by them to Rev. John McDonald, of the Parish of Urquhart, Ross-shire, never was answered. In 1821, a Mr. Halket, one of the Earl of Selkirk's executors, paid a visit to the colony and found the settlers very much exercised over another matter—the exorbitant charges made in their

nts, and the dishonest acts of the officers in charge of Douglas. The colonists, it appears, were not only charged reasonable prices, but were also made to pay for goods never received, and the result was that Mr. Halket decided that the officers of the fur trade should take in hand the buying of goods to the settlers, an arrangement which was to work more satisfactorily and to the advantage of the rs.

The union of the two companies contributed greatly to the and prosperity of the settlement, all apprehension of strife being removed, and to this happy state of affairs be added an abundant harvest, in 1822. Fort Douglas ued to be the residence of the governor and the seat of nment for the colony, but Fort Gibraltar became the of the Hudson's Bay Company, where all the trading lone. The population on the Red River was also largely used about this time, through the arrival of discharged nts from the fur trade. When the coalition of the two anies occurred, a very marked decrease immediately took in the number of employés engaged in trading, there g been double the force of men required while they were position to each other, as compared with the number re- d when the business passed under one management. The quence was that many servants were discharged, and of them being given grants of land on the Red River e company, became settlers, and a few commenced the ration of the soil for a living.

out this time a novel enterprise called the "Buffalo Wool pany," was started in the colony, which had for its object: To provide a subsitute for wool, as it was supposed, the numbers and destructive habits of the wolves, that could not be raised in Red River, at least to any extent.

2nd. The substitute contemplated was the wool of the buffalo, which was to be collected on the plains, and manufactured both for the colonists and for export.

3rd. To establish a tannery for manufacturing the buffalo hides for domestic use.

The capital of the company was £2,000, and it carried on operations until 1825, when it was wound up, the whole of the money invested having been spent and a debt of £500 in the red; but for a time this unprofitable concern gave employment to a number of the settlers, and enabled them to better their condition from their earnings. A few domestic cattle were imported, and the lot of the colonists became much improved in several directions.

The crops continued to be good, and the administration of affairs under Governor Bulger was most satisfactory to the people, who were sorry when he resigned and returned to England in June, 1823. It was Captain Bulger, who, by punishing an Indian for attempted murder, first showed to the natives that they would not be allowed to break the laws with impunity near the colony, and it was he who, by making representations to the Governor and Committee of the Company in London, obtained full permission for the settlers to purchase horses, leather, and provisions from the freemen and natives, a privilege which the Hudson's Bay Company officers attempted to deprive them of.

Governor Bulger was succeeded by Captain R. P. Pelly, cousin of Sir John Henry Pelly, Baronet, who was at that time Governor of the Hudson's Bay Company in London: here, before dealing further with the Red River Settlement, we will turn our attention to the description of a few of the forts and posts belonging to the company, and of the Indian tribes inhabiting the country at that time.



CHAPTER XIII.

NORTH-WEST FORTS AND INDIANS.

IN 1749, as already shown, the Hudson's Bay Company had six forts, namely Moose, Henly, East Main House, Albany, York, and Prince of Wales Fort. In 1836, according to papers laid before Parliament, the company had one hundred and thirty-six establishments, and afforded employment to twenty-five chief factors, twenty-seven chief traders, one hundred and fifty-two clerks, and about twelve hundred regular servants, besides the occasional labor in manning boats and other services.

In 1856, the number of establishments had increased to one hundred and fifty-four, and of these the following were situated between Canada and the Rocky Mountains.

ATHABASCA.

Forts Chipewyan, Dunvegan, Vermillion, Fond du Lac.

MACKENZIE'S RIVER.

Forts Simpson, Liards, Halkett, Youcon, Peel's River, Lapierre's House, Good Hope, Rae, Resolution, Big Island, Norman.

ENGLISH RIVER.

Forts Isle a la Crosse, Rapid River, Green Lake, Deer's Lake, Portage la Loche.

SASKATCHEWAN.

Forts Edmonton, Carlton, Pitt, Rocky Mountain House, Lac

la Biche, Lesser Slave Lake, Assiniboine, Jasper's House, Corne.

CUMBERLAND.

Cumberland House, Moose Lake, The Pas.

SWAN RIVER.

Forts Pelly, Ellice, Qu'Appelle Lakes, Shoal River, Touchwood Hills, Egg Lake.

RED RIVER.

Upper Fort Garry, Lower Fort Garry, White Horse Plain, Pembina, Manitobah, Reed Lake.

LAC LA PLUIE.

Forts Francis, Alexander, Rat Portage, White Dog, Lac du Bonnet, Lac de Bois Blanc, Shoal Lake.

NORWAY HOUSE.

Norway House, Beren's River, Nelson's River.

YORK.

York Factory, Churchill, Severn, Front Lake, Oxford House.

ALBANY.

Albany Factory, Marten's Falls, Osnaburg, Lac Seul.

KINOGEWISSEE.

Matawagamingue, Kuckatoosh.

LAKE SUPERIOR.

Michipicoton, Batchewana, Maurainse, Pic, Long Lake, Lake Nipigon, Fort William, Pigeon River, Lac d'Original.

LAKE HURON.

Lacloche, Little Current, Mississaugie, Green Lake, Whitefish Lake.

SAULT STE. MARIE.

Sault Ste. Marie.

MOOSE.

Moose Factory, Hannah Bay, Abitibi, New Brunswick.

EAST MAIN.

Great Whale River, Little Whale River, Fort George.

RUPERT'S RIVER.

Rupert's House, Mistasinny, Temiskamay, Woswonaby, Mechiskan, Pike Lake, Nitchequon, Kaniapiscow.

TEMISCAMINGUE.

Temiscamingue House, Lraud, Lac Kakabeagino, Lake Nipissingue, Hunter's Lodge, Temagamingue.

In addition to the above, there were twenty-two forts and posts in the Montreal department, fourteen in Oregon, and fifteen in British Columbia.

To give an extended description of the company's forts and posts would occupy more space than we have at our disposal in a work of this kind, but a few particulars relating to them may be of interest. Commencing with what may be termed the ancient forts, we find that Fort Rouge was built by Verandrye on the south bank of the Assiniboine, probably about the year 1735, but was given up soon after its erection. Of this fort, a map is to be found in the archives at Paris, containing the new discoveries of the west in Canada in the year 1737, and on it is marked a fort at the north of the Assiniboine, with the note "abandoned" affixed, showing that it could only have been occupied about one year. In the Department of Marine, Paris, there is a map said to have been made after sketches by Verandrye, dated 1740, in which Fort Rouge is shown at the mouth and on the south side of the Assiniboine

Another map given to the *Depôt of Marine, Paris*, by M. de la Galissoniere, in 1750, shows a fort on the site of Fort Rouge with the mark "Ancien Fort" made in reference to it. Thomas Jeffreys, geographer to His Majesty of England in 1762, states that a fort was built on *Rivière Rouge*, but afterwards deserted, owing to its proximity to *Forts Maurepas* and *de la Reine*. A map in the *Department of Marine, Paris*, dated 1750, has a Fort Rouge marked on it at the mouth of the *Assiniboine*. These records establish the fact that such a fort was built, but not a vestige of it now remains, the very site having disappeared through the crumbling of the banks into the river.

Fort Maurepas—Stood near the site of the present town of *Portage la Prairie*, according to the map of 1737, in the archives at Paris, but this name was afterwards given to the fort at the mouth of *Winnipeg River*. According to a map of 1750, the name of the fort near *Portage la Prairie* is given as *Fort de la Reine*.

Fort Pembina—On the west side of the *Red River* near the *International boundary*, this fort was built in 1797-98 by *Charles Chaboillez*, a *North-West* trader.

Fort Gibraltar—Was erected in 1806 by the *North-West Company*, at a point within gun shot of where old *Fort Garry* afterwards stood. It faced towards *Red River*, rather than the *Assiniboine*, and the site where it once stood is now nearly all washed away into the river. It was surrounded by a stockade from twelve to fifteen feet high, made of oak trees split in two, and there were eight buildings altogether within the enclosure. This fort was the centre of much trouble between the *Hudson's Bay* and *North-West Companies*, which is depicted elsewhere, and in May, 1815, it was pulled down by

orders of Governor Semple, in retaliation for the outrages committed by the North-West Company.

Fort Douglas—Was commenced in 1812 by the Hudson's Bay Company as a means of protection for the Scotch settlers of the Selkirk Colony. When Fort Gibraltar was pulled down, in 1815, much of its material was used in extending and strengthening Fort Douglas, which remained the headquarters of the governor of Assiniboia for a number of years, until soon after the union of the two companies old Fort Garry was built. When the Hudson's Bay Company re-purchased Lord Selkirk's rights, the property known as Fort Douglas was sold to Robert Logan, who occupied some of the buildings till 1854. Not a stick or stone of the old fort remains, and, like most of the old establishments on the Red River, the very site upon which it was built has almost disappeared by being washed away.

Old Fort Garry—Was built soon after the union of the two companies in 1821, and the stores of the Hudson's Bay Company removed to it from Fort Douglas. The fort was named after one Nicholas Garry, an influential director of the company, who, in 1822, took a prominent part in the affairs of the great corporation.

So much for some of the ancient forts, now let us take a glance at a few of more recent date.

Fort Pelly—A compact, well-ordered post on the route from Fort Garry to Carlton, sheltered on the north side by a range of woods, with the Assiniboine river in front.

Fort Carlton—Situated on the south side of the Saskatchewan, and defended by high palisades, with a gallery armed with wall pieces surrounding the whole square.

Fort La Crosse—A neat and compact post on the lake, with

a low, swampy country around it, but to the north of the fort, at Portage la Loche, the hills are a thousand feet high, and command a fine view of Clear Water River, and its picturesque valley.

Fort Chipewyan—On the shore of Athabasca Lake, surrounded by rocks and swamps, where the climate precludes all prospect of rearing farm produce, and the coarse grass cut in the swamps is the only provender obtainable for the cattle

Fort Edmonton—On the north branch of the Saskatchewan, of a hexagonal form, well built, with high pickets and bastions, and battlemented gateways on an almost perpendicular height, commanding the river. The fort was painted inside and out, with devices to suit the taste of the savages who frequented it. Over the gateway were a fantastic pair of vanes, and the ceilings and walls of the hall presented gaudy colors and queer sculptures for the admiration of the Indians, the buildings, for the same reason, being painted red.

Fort Churchill—On the shores of Hudson's Bay, situated in the midst of an extremely barren, rocky, and dry locality, without wood, where a few garden vegetables were, with difficulty raised.

York Factory—Also on Hudson's Bay, has a country around it which, although elevated above the river, is one entire swamp, covered with low stunted pine, almost impenetrable. The land seems to have been thrown up by the sea, and it never thawed more than ten or twelve inches during the hottest weather, and is then of the consistence of clammy mud even in the centre of the factory it is necessary to keep on the platforms to avoid sinking over the ankles. It was the great warehousing depôt for the company.

Albany Fort—On James Bay; the soil is better, and the climate more temperate than the two preceding forts.

Mouse—Further south, also on James Bay, the same may be said of it as of Albany, and at both these forts potatoes and garden produce are raised, but with difficulty. The winter at all these posts on Hudson's Bay and James Bay, is most severe, and at other seasons the temperature of the air is subject to the most capricious variations.

Fort Garry—The principal station of the Red River settlement, and the second one of that name built, was situated at the forks of the Red and Assiniboine Rivers, environed by plains, and with a country to the north-west studded with copses of poplar and dwarf oak. It was one of the most important distributing posts belonging to the company, and one of the strongest and best-built forts in the territory. Surrounded by a stone wall, with bastions, it contained several large warehouses and handsome residences.

Fort Alexander—Situated on Winnipeg River, about three miles above where it empties into the lake of the same name, has some good farming land in the vicinity.

Lower Fort Garry, or Stone Fort—Near the mouth of the Red River, where it flows into Lake Winnipeg, built with even greater strength than Upper Fort Garry, but not so neatly arranged. It, too, was a most important post, and was used by Sir George Simpson as his headquarters when he visited that part of the country.

Norway House—At the head of Lake Winnipeg, surrounded by a barren country, was at one time the place of meeting, where the Governor and his council assembled annually, and was one of the principal posts of the company.

Cumberland House—On the Saskatchewan river, at a spot where it is touched by Cumberland Lake. The fort is built on an island, and was the headquarters of the Cumberland district.

Fort Vermillion—The most favorably situated post in the Saskatoon district for agricultural purposes, wheat, barley, and garden vegetables being raised there.

Dunvegan—Built at the confluence of the Smoky and Peace rivers, the point of direct regular communication between the Northern Department and New Caledonia.

Such were a few of the forts belonging to the Hudson's Bay Company, used in carrying on their extensive trade with the Indians. Most of their establishments were more or less protected by palisades or walls, which were arranged with loopholes, and other means for carrying on a defence when they were attacked. The admiration of the Indian for the superior skill and ingenuity of the Europeans was the cause of the awe with which the Hudson's Bay Company's forts and officers were viewed, and in some measure secured the security of a handful of men, scattered in different stockaded posts, over a vast territory, inhabited by thousands of warlike people.

The number of Indians in the North-West, at the time we refer to, can only be estimated, as it was almost impossible to obtain a correct census, owing to their roving habits. It is reasonable to suppose that the population in the settlements between Canada and the Rockies, was between 50,000 and 60,000 souls. Sir George Simpson gave the following estimate of the tribes in the Saskatchewan district :

	TENTS.	
Crees	500	:
Assiniboines	580	:
Blackfeet	300	:
Peigans	350	:
Blood Indians	250	:

	Tents.	Souls.
Surcees.....	50	350
Gros Ventres.....	300	2,100
Saulteaux.....	20	140
	<hr/>	<hr/>
	2,350	16,450

It is thought, however, that Sir George Simpson included in his figures only those Indians in the vicinity of the company's forts, and that his estimate is therefore under the mark.

The following will give some idea of the tribes inhabiting at that time the north-western country east of the Rocky Mountains, and is a fairly correct account—as accurate at least as could then be ascertained.

MACKENZIE RIVER DISTRICT.

The Copper Indians.

The Louchéaux or Quarrellers.

The Hare Indians

The Dog Rib Indians.

The Strong-Bow Indians.

ATHABASCA AND ISLE A LA CROSSE DISTRICT.

The Chipewyans.

The Crees (a few of this tribe).

PEACE RIVER DISTRICT.

The Beaver Indians.

The Saulteaux (a few of this tribe).

UPPER SASKATCHEWAN DISTRICT.

The Blackfeet.

The Blood Indians.

The Peigans.

The Gros Ventres.

The Surcees.

All these five tribes were generally termed Blackfeet, although they spoke different languages and had different customs and manners.

LOWER SASKATCHEWAN DISTRICT.

The Stone Indians, or Assiniboines.

The Crees.

The Saulteaux or Ojibways.

These three tribes were constantly at variance with the Blackfeet, and the whole eight in the Upper and Lower Saskatchewan, followed the chase as a means of subsistence. The Assiniboines, Crees, and Saulteaux, extended their habitations to the upper part of the Red River and to Swan River.

YORK FACTORY, OXFORD, NORWAY HOUSE, CUMBERLAND AND
LOWER PART OF SWAN RIVER DISTRICT.

Swampy Indians.

These evidently sprang from the Crees, as their language is only a dialect of the Cree. It is also said that there is a mixture of Saulteaux in their origin.

CHURCHILL DISTRICT.

Esquimaux.

Chipewyans.

Swampies.

The Crees were the largest tribe or nation, divided into two branches, those on the Saskatchewan, and the Swampies around the borders of Hudson's Bay, from Fort Churchill to East Main. The measles and small-pox swept off many from 1810 to 1820, but they afterwards increased in numbers and extended over the country, especially to the south.

The Saulteaux were a branch of the Chipewyans, and at one time were the most powerful tribe in the North-West, but

they, too, were reduced in numbers by the small-pox, and being indolent and proud, were, therefore, almost constant in a state of starvation. The Crees were always at enmity with them, and when, in 1870, the Saulteaux found their way to Red River, it was bitterly resented by the former as an invasion upon their territory, an instance of which was given, when Lord Selkirk, in making his treaty with the Indians, committed the mistake of placing the Saulteaux first on the list. As will be remembered, the Crees were bitterly indignant at this, and threatened not only to break the treaty, but to demand back the lands, thus causing the Scotch settlers much anxiety, lest their farms should be taken from them by savages.

The Surcees were regarded as the boldest of the tribes, and horse-stealing was a favorite occupation with them. The Crees and Blackfeet were continually at war, and each were at enmity with the Assiniboines, small tribes being drawn into contests of the larger, and the whole seldom at peace. Ambuscades, surprises by day or night, and treacherous massacres of old and young, of women and the sick, constituted the moving interests of their lives. The most degrading superstitions prevailed: cunning was employed where force could be used in plunder: lying was systematic: women were treated as beasts, and the wild Indian was, in many respects, more savage than the animals around him.

The Stone or Assiniboine Indians were grossly and habitually treacherous, generally at war with the neighboring tribes, never failed to take the scalps of their prisoners as trophies, and they even abused the rights of hospitality, by waylaying and plundering the very guest who had been apparently received with kindness, and just departed from their tents.

The Swampies were rather diminutive in comparison with the Indians who inhabited the plains, and were not a warlike race. They often suffered from want of food, instances having been known of their being compelled by hunger to resort to cannibalism, although such instances were rare.

The Sioux, at one time, laid claim to a part of the British North-West, but having made themselves unpopular with the other tribes of Indians, they were driven by them across the boundary line to American soil. It appears that the quarrel which resulted in the banishment of the Sioux was brought about in the first instance by the killing of a dog, a Sioux having shot a canine belonging to another Indian, and from this insignificant commencement a strife arose which ultimately brought about a union of the Saulteaux, Crees and Assiniboines to drive the Sioux out of the country.

The plain Indians, such as the Blackfeet, Assiniboines and Crees, differed entirely in their mode of life from those who frequented the woods. Their habits were more of a roving character, the vast prairie being open to them, covered as it was then with immense herds of buffalo. As far as the eye could reach, day after day, when they travelled over the plains they could see, as it were, one great field of luxuriant pasture, and as their horses trod beneath their feet the beautiful flowers of the prairie, the air was scented with a delicious perfume. Here and there they would come across clear, running brooks, or picturesque lakes, with beautiful groves of trees dotting the landscape. Then came the exciting chase, and afterwards the grateful feeling that an abundance of meat and drink was theirs. What more could those savage children of nature wish for? But sometimes disease and death would come among them, and at others, through their own improv-

idence, starvation would stalk through their midst. It was then that the kindly offices of the Hudson's Bay Company's servants would be felt—hungry mouths would be filled as far as the resources of the post would allow, medicines and clothes would be furnished, and the grateful Indians would feel themselves bound to their white brothers by the greatest of all ties, that of gratitude. It was this fatherly care of the Indians that gave the Hudson's Bay Company their great influence over the savage tribes of the North-West, and with the union of the fur companies the use of intoxicants, although not abolished in trading with the Indians, was greatly curtailed, and general drunkenness amongst the tribes became a thing of the past.

During the days of the Hudson's Bay Company, the Indians lived a life of thorough freedom: the tribes of the plains following the chase, the wood Indians hunting and trapping, and when the furs were thus gathered in they were ever able to dispose of them at the company's posts or to their servants, at fair prices. Indeed it was customary to give Indians credit in advance of their hunt, and to their honor be it said that they almost invariably paid their debts with the first catch of furs made. This created a mutual feeling of confidence which, in conjunction with the kind and considerate treatment of the natives by the Hudson's Bay officers, caused the company to be looked upon by the red-man as a protector.

But the character of the Indians was not all to be admired. They were cruel, deceitful, and complete adepts in the art of flattery, which they never spared as long as they found that it conduced to their interest, but not a moment longer. They differed so much from the rest of mankind that harsh usage seemed to agree better with the generality of them than mild

treatment. Their aged parents were treated not only entire neglect, but also with contempt, and it was calculated that at least one-half of the aged of both sexes were starved. Every species of labor and drudgery was thrown entirely upon the women, and when an Indian travelled on with his family, all the load which had to be carried was signed to the back of his wife or wives, for he did not content himself with one. As a rule, the Indian proved himself a practised thief, whenever he had an opportunity, and great was their love of gambling that they would strip themselves of every article they possessed in the unsuccessful suit of this passion. Their cruelty, when making use of the scalping knife, the torture of their prisoner claimed the savagery of their nature. Against all those traits of character they had, of course, others to be added, for instance, their loyalty when trusted, and their gratitude for a favor shown or a kindness bestowed.

To show that the Hudson's Bay Company's policy was to treat the Indians with kindness and consideration, we now quote from some of the Standing Rules and Regulations of the service :—

Standing Rules of the Fur Trade established by the Councils Northern and Southern Departments of Rupert's Land :—

That the Indians be treated with kindness and indulgence, and by conciliatory means, resorted to in order to encourage industry, commerce, and inculcate morality ; that the use of spirituous liquors be generally discontinued in the very few districts in which it is yet indispensable ; and that the Indians be liberally supplied with requisite necessities particularly with articles of ammunition, whether they have the means of procuring for it or not, and that no gentleman in charge of district or post be permitted to alter or vary the standard or usual mode of trade with the Indians except by special permission of council.

That not more than two gallons of spirituous liquor, and four gallons of wine, be sold at the depôt to any individual in the company's service, of what rank soever he may be.

HUDSON'S BAY COMPANY'S REGULATIONS.

Resolved, 1st. That for the moral and religious improvement of the servants, the more effectual civilization, and the instruction of the families and Indians attached to the different establishments, the Sabbath be duly observed as a day of rest at all the company's posts throughout the country, and Divine Service be publicly read with becoming solemnity, at which all the servants and families resident be encouraged to attend, together with any of the Indians who may be at hand, and whom it may be proper to invite.

2nd. That in course of the week due attention be bestowed to furnish the women and children with such regular and useful occupation as is suited to their age and capacities, and best calculated to suppress vicious and promote virtuous habits.

3rd. As a preparative to education, that the women and children at the several posts in the country be always addressed and habituated to converse in the language (whether English or French) of the father of the family; and that he be encouraged to devote a portion of his leisure time to their instruction, as far as his own knowledge and ability will permit.

In his testimony before a Select Committee of the House of Commons, appointed to consider the state of the British possessions in North America, Sir George Simpson stated on the 26th Feb., 1857, that in his opinion the Indians in the Thick-wood country had increased in number, while those on the plains had decreased, on account of the ravages of small-pox, and their constant wars among themselves. The following returns, taken from the evidence presented before the same committee, will give a fairly correct idea of the native population in 1856:

NORTHERN DEPARTMENT.

Athabasca District	-	-	-	-	-	-	-	1,550
Mackenzie River	-	-	-	-	-	-	-	10,430
English River	-	-	-	-	-	-	-	1,370
Saskatchewan	-	-	-	-	-	-	-	28,050
Cumberland	-	-	-	-	-	-	-	750
Swan River	-	-	-	-	-	-	-	2,200
Red River	-	-	-	-	-	-	-	3,000
Lac La Pluie	-	-	-	-	-	-	-	2,850

Norway House	-	-	-	-	-	-	-	-	1,080
York	-	-	-	-	-	-	-	-	1,500
Albany	-	-	-	-	-	-	-	-	1,100
Kinogumissee	-	-	-	-	-	-	-	-	400
Lake Superior	-	-	-	-	-	-	-	-	1,330
Lake Huron	-	-	-	-	-	-	-	-	1,100
Sault St. Marie	-	-	-	-	-	-	-	-	150
Moose	-	-	-	-	-	-	-	-	730
East Main	-	-	-	-	-	-	-	-	700
Rupert's River	-	-	-	-	-	-	-	-	985
Temiscaningué	-	-	-	-	-	-	-	-	1,030

Indian population of the North-West - - - 60,305

ADD TO THIS :

Montreal Department	-	-	-	-	-	-	3,195	
Oregon	-	-	-	-	-	-	5,400	
British Columbia	-	-	-	-	-	-	75,000	
Esquimaux	-	-	-	-	-	-	4,000	87,505
								147,810

The above may be classified according to races, as follows :

Thickwood Indians, east of Rockies	-	-	-	-	35,000
Plain Tribes, Blackfeet, Crees, etc.,	-	-	-	-	25,300
Oregon and British Columbia Indians	-	-	-	-	80,400
Indians in Eastern Canada	-	-	-	-	3,100
Esquimaux	-	-	-	-	4,000
					147,800



CHAPTER XIV.

ESTABLISHMENT OF GOVERNMENT AT RED RIVER.

WHEN Captain Pelly became Governor of the Selkirk Colony, Mr. Donald McKenzie represented the interests of the Hudson's Bay Company at Fort Gibraltar, and under the arrangement made by Mr. Halket, the settlers were supplied with goods from the company's stores at the following rates on prime cost: first, thirty-three and one third on the original cost in England to cover charges, to which was added fifty-eight per cent. profit. This meant practically about one hundred per cent. added to the first cost of the goods in the old country, which was, of course, a very profitable business for the company, and at the same time a better arrangement for the settlers than had existed when the supplies were obtained at Fort Douglas.

About this time also, the Hudson's Bay Company introduced a circulating medium in the shape of a paper currency, which proved of great service to the community at large. The notes were of three different values, the highest being for one pound sterling, the next five shillings, and the lowest, one shilling. They were payable in bills of exchange at York Factory, which was seven hundred miles away from the colony, but the company never refused to give a bill on London at Red River for their notes. The currency was accepted and used by the settlers with the greatest confidence, and a man

who had a pocketful of "Hudson Bay blankets," as the notes were nicknamed, considered himself a very lucky individual indeed, and had no fears about the stability of the bank.

Cattle now began to be driven into the settlement in large droves, and offered for sale, some of the herds coming overland from as far south as Kentucky, and in this way, and from other causes, the condition of the settlers began steadily to improve. There were, however, about the same time, a number of improvident people added to the population on the banks of the Red River, who did not further to any great extent the prosperity of the community as a whole. These were the half-breed voyageurs and others, who, during the time of the North-West Company, found employment in conducting the brigades between Fort William and the inland posts. When the union of the fur companies took place, York Factory became the head-quarters of the fur trade, and Fort William sank into the condition of a mere station. The birch canoe was allowed to decay, and the hardy men, chiefly half-breeds, who manned it in former times, were thrown out of employment, and, to support themselves and their families, became hunters. But this mode of life did not suit many of them, and they gradually joined the colony on the Red River, and scattered themselves along the Assiniboine. Some of the better classes of these made good settlers and assumed the occupation of freighters by means of carts and horses, while the poorer half-breeds who came into the settlement from the Indian territories, being destitute of horses or the means to buy them, lived a very precarious mode of life. But as the condition of the country improved, even these poor people gradually succeeded in bettering their circumstances and became trip-men, fishermen, and followed other pursuits congenial to them, although few undertook the cultivation of the soil to any extent.

The settlers generally, however, were successful in their farming operations, and a considerable extent of new land was turned over, the possession of cattle assisting very materially in this respect. The crops grew luxuriantly, ripened well, and were gathered in in good condition, the yield being from twenty to thirty bushels to the acre from cultivated land, and from six to seven when sown upon the sod. The grasshoppers had disappeared, and the only drawback experienced was in the autumn of 1825, when the colony became infested with mice, which for a time threatened the settlement with a fresh calamity, the new enemy being exceedingly numerous and destructive, but happily they came too late in the season to do much serious harm.

The following year, 1826, was one of dire disaster, and the calamities of the former seasons seemed to have returned with fourfold force. It commenced during the winter, when a sudden and fearful snow storm swept the land, driving the buffalo beyond the hunters' reach, and killing most of their horses. The visitation was so unexpected that the people on the plains were totally unprepared for it, and being without food, starvation stared them in the face. The Hudson's Bay Company, and private individuals in the settlement, as soon as they heard of the disaster, at once sent out provisions to the afflicted hunters, and in this way saved a number of them from death, but others, not so fortunate, were either frozen or died from exhaustion, and in this way many lost their lives. It was a terrible winter, and in the spring was followed by fresh disaster, for hardly had the colonists recovered themselves from their exertions in relieving the plain-hunters and their families, than they themselves were visited by a great calamity. The winter had been unusually severe, the snow averag-

ing over three feet in depth on the prairie, and from four to five feet in the woods, and the ice on the river measuring nearly six feet in thickness. The result of this was, that in the spring, the flow of water from the melting of the snow became alarming, and the ice being so thick, the river on the 4th of May, overflowed its banks and spread so fast, that almost before the people were aware of the danger it had reached their dwellings.

Then ensued a scene of destruction that struck terror into the hearts of the unfortunate settlers. The people had to fly from their homes, leaving all that they possessed behind them, and the cries of the women and children, the lowing of the cattle, and howling of the dogs, only added to the confusion. The Hudson's Bay Company did all in their power to aid the distressed colonists, and by means of boats the families were conveyed to places of safety, the cattle were driven to the hills, and an attempt was being made to save the grain and furniture from the houses and barns, when the ice gave way and swept everything before it. Hardly a house or building of any kind was left standing in the settlement, some of them being carried away whole and entire to be engulfed in Lake Winnipeg. The flood continued in full force until the 21st, the water rising fully fifteen feet above the ordinary level of previous years, but on the 22nd, it began to recede, until, on the 15th June, the settlers were able to approach the sites of their former dwellings. Fortunately only one life was lost, but the people were almost ruined, and the colony which had commenced to show signs of substantial prosperity, once more sank into a state of desolation and distress.

It is said that in 1776, the flood on the Red River was even higher than the one just described, and others in 1790, and in

1809, were unusually high, but the overflow of 1826, resulted in more hardship than any of its predecessors. One good result, however, was that the de Meurons and other objectionable settlers to the number of 243 individuals decided to try their fortune elsewhere, and took their departure for the United States, to be seen no more at Red River. Their departure was not regretted, and was even hastened by the company furnishing them with supplies to use in their journey.

The Scotch settlers, undaunted by their many reverses, now went to work to rebuild their homes, and in the year 1827, the colony may be said to have entered upon a new era of its existence, until, in 1830, the dross having been purged from the community, the settlement was completely re-established on a better footing than ever, and its prospects became more promising. It is said that every cloud has its silver lining, and thus it was with the settlers on Red River. The summer after the flood was a very hot one, and the little seed sown in June and July of 1826 all came to maturity with surprising rapidity. The hunters were successful in both trips, and brought in a plentiful supply of pemmican and dried meat, and the fishermen in the river and lake added considerably to the store of provisions, so that the settlers had the satisfaction of knowing that there was enough food to bid defiance to want until the following spring.

Previous to the year 1825, the grain raised in the colony had to be ground on querns, or hand-mills. Although Lord Selkirk had sent out a windmill in the early period of the settlement, no one had been found capable of putting it into working order, until the executors of his Lordship's estate sent out a millwright to set it up, and, after ten years of idleness, it commenced working in 1825. Soon after this, it was

bought by Mr. Logan for about £300, although it cost £1500, and that gentleman succeeded in running it with profit to himself and benefit to the community, and from this beginning windmills soon sprang up in every direction, until, in a few years, there were a dozen or more in the settlement. A water mill was also attempted about this time by Mr. Cuthbert Grant, who had settled down to be a steady-going man of business, but his enterprise was not rewarded with the success it deserved. He constructed a dam across a creek at White Horse Plains: built his mill only to find that it did not work satisfactorily, and the dam giving way soon afterwards, the whole investment proved to be a total loss of about £800 to Mr. Grant.

In 1831, the Hudson's Bay Company built Lower Fort Garry, with the intention of making it the seat of Government, but this was afterwards relinquished in favor of the Upper Fort. The latter was at that time a lively and attractive station, full of business and activity, as all the affairs of the colony were transacted there. Lower Fort Garry was more picturesque, and its surroundings full of rural beauty, which made it delightful as a residence, and, probably on this account, Sir George Simpson always selected it as his quarters when visiting the settlement. The Hudson's Bay Company were now lords of all they surveyed. On them the settlers had to depend for all they required—they constituted the chief market for the farm produce raised in the colony, and their word was law in all matters affecting the management of the colony. To do them justice, the officers of the company did all in their power to advance the interests of the settlement, often at great loss, but in one respect their acts were arbitrary, and in some cases exceedingly harsh. This

was in preventing any one dealing in or possessing furs without their consent. The rule was that all furs had to be sold to the company, no one else being allowed to trade in them, and in several instances very high-handed proceedings were directed against offenders. Men were imprisoned and their habitations destroyed by the constables employed by the Hudson's Bay Company, who, without proper warrant, were wont to undertake house-searching expeditions through the settlement, to discover, if possible, traces of the traffic. On some occasions these men went armed with muskets and bayonets, to the terror of the inmates of houses visited by them, and whenever any furs were found, they were at once confiscated. Looking at events subsequent to this period, we are of opinion that the officers of the company adopted a short-sighted policy in thus attempting to suppress fur trading in so summary a manner. Had they pursued a more moderate course, they probably would have gained their object without exciting the determined opposition of the people, which afterwards gave them a great deal of trouble and ultimately resulted in the defeat of the company.

From the coalition of the two companies until 1833, the Hudson's Bay Company was the only source from which settlers were able to purchase their supplies, and the only market open to them for the disposal of their produce. So that the company's officers were able, when they so desired, to ride over the people with a high hand, and in some cases did so, although on the whole they commanded the respect and confidence of the settlers.

Sir George Simpson, in many ways, endeavored to promote the interests of the settlement, hoping thereby to benefit his company. Instead of importing farm produce, he purchased

as much as possible from the people on the Red River, until complaints, as to the quality of the supplies furnished to the posts, compelled him once more to look to outside markets. This arose partly through the carelessness of the settlers themselves, and partly from the lack of any proper means to carry on their farming and dairying operations, the wheat being badly harvested, the flour badly ground, the butter carelessly packed, and in this way the produce of the Red River Settlement came to be looked upon with disfavor, and the market for the sale of it injured.

Sir George then tried an experimental farm, to show the settlers how to till the soil, but this failed, involving a serious loss upon the company. Then he established what he called the Assiniboine Wool Company, for the purpose of stimulating sheep farming, but, like the previous experiment, it also proved a failure. The next venture was called the Tallow Company, one of the Governor-in-Chief's pet schemes, which, if it and the others had been properly managed, would have resulted in much good to the settlers. But the men in charge of the cattle left them to shift for themselves, and those sent to bring in the sheep undertook to drive them overland all the way from Kentucky, and out of a herd of about 1,500 head, they arrived at Red River with 251, having lost over twelve hundred sheep on the way, the collapse of the Wool Company, of course, being the result, the loss, as in the other cases, falling chiefly upon the company.

It was, however, a period of experiment, and certainly it may be said that nothing was left undone to bring the settlement into prominence by making it prosperous. Premiums were offered for the best flax grown, and seed was given out for the purpose. The premiums were earned, and the flax

blowed to rot: the same thing happened with an attempt to foster the cultivation and use of hemp, so that one experiment after another was undertaken **only to be abandoned** through the incompetency, carelessness, or cupidity of those engaged to carry them out.

Finally, we must not forget to mention that, while all these experiments were taking place, the Hudson's Bay Company commenced to build a road east of the Red River, with the view of opening a winter communication between the settlement and York Factory, but, with the collapse of the other schemes, this, too, was abandoned.

Governor Pelly had resigned office, and been succeeded by Mr. Donald McKenzie, who proved himself, during all the many trials that overtook the colony while he was governor, a humane and popular administrator of affairs. His term of office lasted from June, 1825, to June, 1833—eight years, when he was succeeded by Mr. Alexander Christie.

About this time the sentiment of the people toward the Hudson's Bay Company was undergoing a change, and a spirit of rebellion against the authority of the officers began to show itself. To lead up to the causes of this state of feeling, we must go back to the time when the settlers were supplied with goods on credit, during Lord Selkirk's time. After the union, in 1821, when the Hudson's Bay Company officers undertook the charge of affairs, the credit system was abolished, and that of ready-money introduced. This led to a curtailment of the supply of goods, and a consequent rise in the prices, which acted against the poorer class of settlers and in favor of the wealthier people. The result was that private individuals undertook the importation of supplies, and Governor Christie afforded every facility to this new class of traders,

until they began to take advantage of the position which the credit system gave them to oppress the people. Then the Hudson's Bay Company stepped in, and by keeping a better and larger stock of goods, which they sold at cheaper rates than the free traders, captured the trade. This naturally incensed the small dealers, who raised a hue and cry against the company, accusing them of wishing to monopolize all the trade in goods, as they did in furs. The next difficulty arose with the half-breed plain hunters, who had become very numerous, and, as a result, the quantity of pemmican and dried meat brought in from the plains exceeded the demand. The company, therefore, declined for a time to buy all that was offered to them, and this, in turn, created a spirit of dissatisfaction among the half-breeds, who endeavored to bully the company, and from demands began to use threats, but up to 1834 they did not resort to violence, as they generally managed to have their way, from a desire on the part of the company's officers not to risk an outbreak.

In 1834, however, the inflammable materials took fire, blazed out, and the first hostile demonstration against the Hudson's Bay Company occurred. It appears that a half-breed named Larocque, having used insolent language in addressing a Mr. Simpson,* one of the company's officers, the latter took up a poker, and struck his insulter over the head, inflicting a serious wound. The injured man, covered

* This was the same Mr. Simpson, who, in company with Mr. Dease, was sent in 1836 on an exploring expedition to the north, which occupied their time till 1839. For the valuable information given by these two explorers regarding the country they traversed, the Royal Geographical Society awarded them their gold medal, but unfortunately Mr. Simpson did not live to enjoy the honors he had earned. On his return from the north in 1839, and while travelling overland from Fort Garry *via* the United States, bound for England, he committed suicide in a moment of insanity. With him at the time were several French half-breeds, two of whom Mr. Simpson shot before he killed himself, and, owing to the difficulty he had with the French, in 1834, above narrated, it was said that they had taken revenge by shooting him. It was proved conclusively, however, on investigation, that he had committed suicide.

with blood, rushed among his friends, and they, in a short time, stirred the whole half-breed community to make common cause against the company, in demanding redress for the injury done one of their number. Fort Garry was surrounded by an excited multitude, who decided that Mr. Simpson must be delivered up to them, to be dealt with according to their understanding of the law of retaliation, and for a time the affair had a serious aspect, and an outbreak was only averted by a deputation being sent to settle the dispute. This was accomplished by means of presents and a payment of money to Larocque, and thus the seed was sown for future rebellion on the part of the French. In the following spring, another demonstration took place before the gates of Fort Garry, and this time a demand was made that the company should pay higher prices for the pemmican and meat purchased from the hunters, and that buffalo robes and tallow should be allowed export from the country, so that other markets than that of Fort Garry might be opened to them. They also protested against any import duty being levied on goods brought in by them from the United States. These demands, however, were not acceded to, and for a time the half-breeds accepted the situation, and ceased further demonstrations, but the feeling of discontent remained, and the authority of the company was on the wane, the spirit of opposition being fanned by designing demagogues, who even thus early in the day had begun to dupe the simple and excitable half-breeds for their own selfish purpose.

In the meantime, the executors of Lord Selkirk's estate, anxious to get rid of the responsibility incurred through the ownership of the Red River colony, arranged to transfer it to its original holders, the Hudson's Bay Company. It has been

said that the settlement cost Lord Selkirk in the neighborhood of £200,000, but the sum his executors received for the property, in 1836, was £84,111, which shows, if the figures are correct, that the speculation was a costly one to his lordship. For some time after the transfer the matter was kept secret from the general body of settlers, a policy of deceit, the wisdom of which it is difficult at this time to understand.

Up to now, the inhabitants at Red River may be said to have lived without laws and without protection, depending solely on their own good feelings and faith toward each other. For several years, a few councillors to assist the governor, aided by a small body of constables, nominally appointed, have been the only machinery of government existing in the settlement. It was a system of persuasion, rather than one of force or authority, and, looking at the hostile demonstrations which had been made against the company by a section of the community, the governor and council in London thought it time for the adoption of some system by which law and order could better be maintained.

The first step taken, therefore, by the company, after its acquisition of the settlement, was to organize something like local regulations, courts of justice, and a code of laws for the colony. This they were empowered to do under their charter and accordingly new councillors, selected from among the influential inhabitants of the colony, were nominated and commissioned by the committee in London, and these, with the Governor-in-Chief at their head, were to constitute a legislative council, with power to make laws in criminal as well as civil matters.

On the 12th February, 1835, this council was convened for the first time, the members composing it being as follows:

Sir George Simpson, Governor of Rupert's Land.	<i>President.</i>
Alexander Christie, Governor of Assiniboine.	<i>Councillor.</i>
The Right Reverend the Bishop of Juliopolis—the North-West	<i>do.</i>
The Reverend D. T. Jones, Chaplain to the Hon. Hudson's Bay Company..	<i>do.</i>
The Reverend William Cochran, Assistant Chaplain.. . . .	<i>do.</i>
James Bird, Esq., formerly Chief Factor Hudson's Bay Company.. . . .	<i>do.</i>
James Sutherland, Esq.	<i>do.</i>
W. H. Cook, Esq.	<i>do.</i>
John Pritchard, Esq.. . . .	<i>do.</i>
Robert Logan, Esq.	<i>do.</i>
Alexander Ross, Sheriff of Assiniboine	<i>do.</i>
John McCullum, Coroner	<i>do.</i>
John Burns, Esq., Medical Adviser.. . . .	<i>do.</i>
Andrew McDermot, Esq., Merchant.. . . .	<i>do.</i>
Cuthbert Grant, Warden of the Plains	<i>do.</i>

The President (Sir George Simpson) delivered the following address at the first meeting of the council :

"GENTLEMEN,—In order to guard as much as possible against misapprehension within doors, or misrepresentation out of doors, on the subjects which I am now about to bring under your consideration, I shall thus briefly notice them. From their importance they cannot fail of calling forth due attention, and from the deep and lively interest you all feel in the welfare and prosperity of the colony, I am satisfied you will afford me the benefit of your assistance and support towards carrying into effect such measures as may appear to you best calculated, under existing circumstances, to answer every desirable object.

"The population of this colony is become so great, amounting to about 5,000 souls, that the personal influence of the Governor, and the little more than nominal support afforded by the police, which, together with

the good feeling of the people, have heretofore been its principal safeguard, are no longer sufficient to maintain the tranquillity and good government of the settlement ; so that although rights of property have of late been frequently invaded, and other serious offences been committed, I am concerned to say, we are under the necessity of allowing them to pass unnoticed, because we have not the means at command of enforcing obedience and due respect, according to the existing order of things.

“ Under such circumstances, it must be evident to one and all of you, that it is quite impossible society can hold together : that the time has at length arrived when it becomes necessary to put the administration of justice on a more firm and regular footing than heretofore, and that immediate steps ought to be taken to guard against dangers from abroad, or difficulties at home, for the maintenance of good order and tranquillity, and for the security and protection of lives and property.”

The council then framed a number of enactments, which were passed into law, and most of them gave general satisfaction.

Here are several of them :

1st—That an efficient and disposable force be embodied, to be styled a volunteer corps, to consist of sixty officers and privates, to be at all times ready to act when called upon : and to be paid as follows : Commanding officer, £20 per annum : sergeants, £10 : and privates, £6, besides extra pay for serving writs. When not so employed, their time to be their own.

2nd—That the settlement be divided into four districts ; the first to extend from the Image Plain downwards ; the second from the Image Plain to the Forks : the third from the Forks upwards, on the main river : and the fourth, the White Horse Plains, or Assiniboine River : and that for each of the said districts, a magistrate be appointed. That James Bird, Esq., be Justice of the Peace for the first district : James Sutherland, Esq., for the second : Robert Logan, Esq., for the third, and Cuthbert Grant, Esq., for the fourth. These magistrates to hold quarterly courts of summary jurisdiction on four successive Mondays : to be appointed according to the existing order of precedence in the four sections : beginning with the third Monday of January, of April, of July, and of October.

3rd.—That the said courts have power to pronounce final judgment in all civil cases, where the debt or damage claimed may not exceed five pounds : and in all trespasses and misdemeanors, which, by the rules and regulations of the District of Assiniboine, not being repugnant to the

laws of England, may be punished by a fine not exceeding the aforesaid sum of five pounds.

4th—That the said courts be empowered to refer any case of doubt or difficulty to the supreme tribunal of the colony, the Court of Governor and Council of Assiniboine, at its next ensuing quarterly session, by giving a *riti roce* intimation of the reference in open court, and a written intimation of the same under the hands of a majority of the three sitting magistrates, at least one whole week before the commencement of the said quarterly session, and this, without being compelled to state any reason for so doing.

5th—That the Court of Governor and Council, in its judicial capacity, sit on the third Thursday of February, of May, of August, and November; and at such other times as the Governor-in-Chief of Rupert's Land, or, in his absence, the Governor of Assiniboine, may deem fit.

6th—That in all contested civil cases, which may involve claims of more than ten pounds, and in all criminal cases, the verdict of a jury shall determine the fact or facts in dispute.

7th—That a public building, intended to answer the double purpose of a court-house and gaol, be erected as early as possible at the forks of the Red and Assiniboine Rivers. That in order to raise funds for defraying such expenses as it may be found necessary to incur, towards the maintenance of order, and the erecting of public works, an import duty shall be levied on all goods and merchandise of foreign manufacture, imported into Red River, either for sale or private use, at $7\frac{1}{2}$ per cent. on the amount of invoice; and further, that an export duty of $7\frac{1}{2}$ per cent. be levied on all goods and stores, or supplies, the growth, produce, or manufacture of Red River.

Sir George Simpson then announced that the Hudson's Bay Company would make a grant of £300 in aid of public works in Red River, and the council, having passed a vote of thanks for this liberal donation, adjourned.

There were some who thought that the personnel of the council was not all that could be desired, inasmuch as it savored too much of a representation favorable to Hudson's Bay Company's interests. The duties proposed to be levied were also considered too high, and aimed against the petty traders, but, on the whole, the introduction of laws and regulations, imperfect though they were deemed in some quarters, was received generally with favor.



CHAPTER XV.

EXPLORATORY WORK FROM 1773 TO 1860.

WE will now take up the record of explorations in the North-West from the time when the Dobbs-galley expedition returned in 1747. In 1773, an expedition under command of Captain John Phillips and Captain Lutwidge left England in June, to discover a navigable channel between the eastern and western coasts of America, but the vessels having reached latitude $80^{\circ} 37'$, were encompassed by ice, and, after escaping with difficulty from destruction, returned home.

The next expedition in order of date was that of Sir Alexander Mackenzie, who was the first white man from Canada to reach the Arctic Ocean, the first European to pass through the Rocky Mountains, and the first overland traveller north of the Gulf of Mexico, to arrive at the shores of the Pacific.

He was born at Inverness, Scotland, in 1760, and was about twenty years of age when he arrived for the first time in Canada. In 1785, he was admitted a partner into the fur trade operations of the west, having been then in the office of McGregor for five years. When the North-West Company was organized in 1787, Sir Alexander Mackenzie became connected with it, and in 1789 we find him stationed at Fort Chipewyan on Lake Athabasca. On June 3rd of that year he set out on his memorable journey to the north, during which he discovered the river which bears his name, and explored it

to its mouth within the Arctic circle, returning to Fort Chipewyan on Sept. 12th, 1789. He then paid a visit to England in order to educate himself in the science of astronomy and navigation, and also to procure books and instruments for future use. On his return to Fort Chipewyan in 1792, he left there on the 10th October, on a journey of further discovery, and, ascending the Peace River until his progress was impeded by ice, he and his party remained there for the winter.

In May, 1793, when the river opened, the voyage was resumed, and he ascended Peace River to the Forks. Following one of the branches to near its source, the explorer cut a passage across country, through the woods to the great river "Tacoutche" (now known as the Fraser), on which he embarked with his followers. But on learning that the passage down the river was full of perils, his men mutinied, upon which Mackenzie resolved to reach the sea by another route, and in order to do this was obliged to turn back. It was fortunate that he did so, because the route described by the Indians, and which he followed, led to the sea in sixteen days after leaving the main river. The party had many adventures with different Indian tribes, were placed on short allowance, and underwent hardships, but at last Mackenzie attained his long-cherished object, and on July 22nd, 1793, reached the Pacific overland from Canada. The explorer returned the way he came, and arrived at Fort Chipewyan after an absence of eleven months. Sir Alexander Mackenzie had the unqualified satisfaction of feeling that his work of exploration and discovery, with all its toils and solitudes, had been crowned with complete success, and it was his pride to think that he had added new regions to the realm of British commerce. Mackenzie died in 1820, the same year that Lord Selkirk, his great opponent, breathed his last.

In the year 1792, Mr. Simon Fraser entered the service of the North-West Company, and ten years later became a partner. In 1805, when, at a conference held at Fort William, it was decided to extend the operations of the company beyond the Rocky Mountains, Mr. Fraser was sent, charged with the duty of carrying out the project. The desire was to anticipate the United States explorers and traders who might establish a claim to the ownership of the country by right of discovery and occupation, and Mr. Fraser carried out the programme thoroughly. Leaving Fort William soon after the conference, he made his way to Lake Athabasca, and ascended the Peace River, where he established a post named the Rocky Mountain Portage. He then continued his journey to McLeod Lake which he discovered, and in 1806 he portaged to Fraser River (named after him), and which at that time was regarded as the main stream of the Columbia, or one of its principal affluents. Leaving the Fraser, he then followed a tributary, which was called Stuart River, after Mr. John Stuart, who also about this time discovered and named Stuart Lake, where a trading post was established.

Mr. Fraser gave the name of New Caledonia to the territory, and in 1807 established another post named Fort George, on the main stream of the Columbia. In the Spring of 1808, accompanied by Mr. John Stuart and others, and a crew of men in four canoes, he left Fort George to explore the unknown waters which were regarded as the main affluent of the Columbia, and for several days the expedition made good progress. But at the point where, fifteen years earlier, Sir Alexander Mackenzie turned back to follow the trail westward to the sea, Mr. Fraser decided to continue on, and, as the Indians predicted to him, he encountered appalling difficulties

during his journey. Rapids and frightful cascades, whirlpools hemmed in by huge rocks, and numerous portages, made the trip a most difficult and dangerous one, but Messrs. Fraser and Stuart were not the men to be daunted by such obstacles, and when they could no longer travel by water, they abandoned their canoes and started to travel by foot. On the 19th June, 1808, they discovered a river flowing from the east, which they named the Thompson, after Mr. David Thompson, the friend and colleague of Mr. Fraser in the work of discovery, and after a couple of weeks of extreme hardship and danger, they reached the tide water of the Pacific on the 1st July. The undertaking which followed up and completed the work of Sir Alexander Mackenzie, fifteen years earlier, was bravely and successfully accomplished, and to Simon Fraser, John Stuart and Jules Maurice Quesnel, it is due that the country north of the 49th parallel, is at this date British territory.

Mr. David Thompson, already referred to, was a Welshman, born in 1770, and educated in London. In 1789 he entered the Hudson's Bay Company's service, and was engaged for nine years in making surveys of the rivers Nelson, Churchill, Saskatchewan and other streams, until, in 1797 he joined the North-West Company. In 1800, he entered the Rocky Mountains and descended one of the northern branches of the Columbia, which he named the McGillivray, but the Indians forced him at that time to return and recross the mountains. Seven years afterwards, he made another attempt, and this time was successful in making important discoveries. He built Fort Kootenay on the Columbia lakes, and travelled along the various rivers and lakes in that district, and for several successive years crossed the mountains many times by different routes. It was he who, in July, 1811, visited As-

toria, when the Pacific Fur Company was occupying it, and he was the first civilized man to traverse the main stream of the Columbia, at least that portion of it above Fort Colville, to its source. Mr. Thompson lived to be eighty-seven years of age, and died on Feby. 16th, 1857, in poverty, at Longueuil, on the St. Lawrence, opposite Montreal. In the Crown Lands Department of Ontario, is a map prepared by him in 1813-1814, for the North-West Company, which embraces the region between latitudes 45° and 56° and longitudes 84° and 124° , as they were from 1792 to 1812.

Turning once more to the expeditions sent out by sea, we find that about 1816 the British Government despatched some vessels to the North Sea in quest of a passage, but they returned without accomplishing anything. A reward of £20,000 was then offered to any one, or any body of men, who would satisfactorily establish the existence of a north-west passage, and it having become a national object, two expeditions were sent out in 1818, one under captain David Buchan and Lieutenant John Franklin, the other under the command of Captain John Ross and Lieutenant Edward Parry.

These efforts, although unavailing, did not establish the non-existence of a passage, and the question excited more interest and increased the determination to solve it. New expeditions were therefore decided on, and in 1819 Capt. Parry sailed in command of two ships, and wintered in the North Sea, but returned in 1820, and in 1821 again commanded an expedition, which, after passing two winters among the Eskimo, returned in 1823.

In 1819, Lieutenant Franklin was sent by land to the northern coast in order to survey to the west of Colpermine River. Hitherto the coast had only been visited at two points.

by Hearne in 1771, at the mouth of the Coppermine, and by Sir Alexander Mackenzie in 1789, at the mouth of the river which bears his name. Franklin was accompanied by Dr. Richardson, Messrs. George Back and Hood. On the return journey the expedition suffered much from cold and starvation, and Hood and many of the men perished.

In 1824, a combined attempt by four expeditions was organized under Perry and Lyon from the east : under Beechey from the west, entering by Behring Sea ; and under Franklin by Mackenzie River. These several expeditions returned in 1826, bearing much valuable information, and in 1827, Capt. Parry undertook the last of the series of unsuccessful attempts made under his command.

In the meantime the union of the fur companies had taken place in 1821, and immediately following this event, Mr. John McLeod was the first officer to cross the Rocky Mountains from the east. He entered the service of the Hudson's Bay Company in 1811, and for ten years was a zealous participant in the contest with the North-West Company. It was he who accompanied and assisted Lord Selkirk's first brigade of colonists from York Factory to Red River, and on that occasion established several trading posts to intercept the trade of their rivals. After the union of the companies, Mr. McLeod's work was confined chiefly to west of the Rockies, where he did good service in exploration and the establishment of the fur company.

In 1822, Sir George Simpson, after he became Governor-in-Chief of the Hudson's Bay Company, made a journey across the continent from tide water of the Atlantic to the Pacific. Leaving York Factory, he ascended Hayes River along the boat route to Lake Winnipeg, thence up the Saskatchewan to

Cumberland House. From this point he went northward through the chain of lakes and streams to Churchill River, which he followed to the height of land Methye Portage. By Clearwater River he entered the Athabasca to the lake of that name, and Peace River, which he ascended, and crossing the Rockies arrived at Stuart Lake. From here he passed to Stuart River and the Fraser, which he descended to Fort Alexandria, where horses were obtained, and the journey to Kamloops made overland, a distance of 215 miles. At Kamloops water navigation was resumed, and, passing through Lake Kamloops, the Lower Thompson was entered, and descended to its junction with the Fraser, from which point the party reached tide water by the same route as that followed by Simon Fraser twenty years earlier.

Sir George Simpson was fond of display while travelling, and carried with him a piper who also acted as his servant. He was careful to enter a fort with his men dressed in their best, and on his appearance it was customary to fire a gun, the piper would then play and the whole party march in in state, the pipes in front. The whole journey which we have just noted, from York Factory to the Pacific, took ninety days, of which sixteen were passed at the trading posts, and this record might appear to be an exaggeration if the facts were not sustained by indisputable evidence. Sir George Simpson was noted for his rapidity of movement.

In 1829, Sir Felix Booth, a man of wealth, undertook to defray the cost of a private expedition, and placed it under command of Sir John Ross and his nephew James. This expedition passed four years in the frozen region, being winter-bound, and were unable to return until 1833.

The anxiety felt for the safety of Sir John Ross and his

erty caused the authorities to send out an expedition under Sir George Back and Dr. Richard King to search for them. The latter set out in 1833 and travelled by Great Slave Lake and Great Fish River, returning in 1834.

In 1836, Sir George Back was placed in command of a naval expedition to prosecute north-western discoveries, and being obliged to winter in the pack-ice, returned to England in 1837.

In 1837, Simpson and Dease were sent out at the instance of the Hudson's Bay Company, and reached the mouth of the Mackenzie River. The object of this examination was to connect by actual survey the several points on the northern coast which had been visited by previous explorers, and this work engaged the attention of the expedition until 1839.

In 1845, a fresh attempt to discover the North-West passage was undertaken by Sir John Franklin and Captain Richard Crozier, in charge of a naval expedition with 135 officers and men. The unfortunate end of the expedition is well known. The ships *Erebus* and *Terror* sailed on May 19, 1845, and were last seen by a whaler on the following July 19th, in Baffin's Bay. After years of anxiety and uncertainty, and many efforts to obtain tidings of the missing ships, all that could be learned regarding them was comprised in the few lies found by search parties, proving that they had all perished.

In 1846, Dr. John Rae was entrusted with the work of completing the examination of the coast. He wintered within the Arctic circle, and remained there until the summer of 1847.

Franklin had now been away three years when the British Government decided to send in search of the missing ships,

and in 1848, three expeditions were sent out with that object in view. The first, consisting of two ships, commanded by Captains Moore and Kellett, went by way of Behring Sea, the second, under Sir John Richardson and Dr. John Rae, was sent overland by way of the Mackenzie and Coppermine rivers, and the third, under Captain Sir James Ross, and Captain E. J. Bird, with two ships well supplied with stores of every kind, proceeded by Davis Strait and Lancaster Sound westward. These relief expeditions left nothing undone to attain the object they had in view, but up to 1850 no traces of the lost ships were found.

In 1850, expeditions proceeded by Behring Strait, under Captains Collinson and McClure: another, by Barrow Strait, under Captain Austin, a third, by the same route, was sent out by Lady Franklin, in command of Captain Penny. The ships which entered by Behring Strait remained in the ice for more than one winter, and the *Enterprise*, under Captain Collinson, returned to England in 1854, by the Pacific, but the *Investigator*, under Captain McClure, never returned. In the second year she became hopelessly embedded in the ice, never to move again. In the third year she was abandoned, and Captain McClure, his officers and crew, being discovered by Captain Pim, in command of a sledge party, decided to abandon the ship, and then marched over the ice to the *Resolute*, of Sir Edward Belcher's expedition, which they reached after a journey of two weeks. The *Resolute*, however, was caught in the pack-ice, and remained in that state during the winter of 1853-54, when she was abandoned on May 14th, 1854, and McClure and his men reached England in the autumn of that year by means of another vessel. The *Resolute*, after drifting in the pack for nearly a thousand miles, was afterwards recovered.

Lady Franklin sent out a ship under Captain Kennedy, with Lieutenant Bellot, of the French navy, as second in command, and this expedition wintered in the ice, and by means of long ledging journeys, added much to geographical knowledge, but did not accomplish the main object of the expedition; they returned in 1852.

In 1852, another expedition was sent out by the British Government, consisting of a number of vessels in command of Sir Edward Belcher, Captains Osborne, Richards, Kellett, and McClintock, and among the officers were, Terry, Hamilton, De Cham, Nares, Pim, and other well-known names connected with the naval service. But this expedition, like the others, was unproductive of results, so far as the search for Sir John Franklin and party was concerned.

In 1853, Dr. John Rae again undertook a land expedition, and completed the coast examination of previous years, thus connecting the discoveries of former travellers. Dr. Rae was the first to bring back the tidings of Franklin, the news of the fate of the expedition reaching London, October 22nd, 1854. Dr. Rae also brought home with him relics of the heroic commander, which are now deposited in Greenwich Hospital, and other relics were subsequently recovered by the McClintock and Hall expedition.

In the prosecution of these searches, unwearied exertions were made by Lady Franklin, who exhausted her own private means in sending out auxiliary ships, while her appeals for aid aroused the sympathy of the combined world.

From the time of Cabot's voyages in 1497, under the auspices of Henry VII., up to the day when Franklin was forever despaired of, there have been almost ceaseless efforts to discover a North-West passage. The only instance of partial

success in the numberless attempts made is that of McClure, who actually traversed the route from the Pacific to the Atlantic, but in doing so, he clearly demonstrated the fact that the obstacles to navigation around the northern extremity of the continent are insuperable, and that the climatic conditions of the Arctic Ocean render the passage of no commercial value.

While these expeditions were being conducted to the Arctic regions, Sir George Simpson made his memorable journey round the world, leaving Lachine on the 4th May, and travelling by way of Sault Ste. Marie, Lake Superior, the Kaministiquia, and Lake of the Woods, arriving at Fort Garry on the 11th June, having thus accomplished a journey of 2,000 miles in thirty-eight days. There was an ordinary trail to Edmonton, from which place a south-western course was taken, and of the whole journey as far as Colville, Sir George writes "Here then terminated a long and laborious journey of nearly two thousand miles on horseback, across plains, mountains, rivers and forests. For six weeks and five days, we had been constantly riding, or at least as constantly as the strength of our horses would allow, from early dawn to sunset, and we had, on an average, been in the saddle about eleven hours and a half a day. From Red River to Edmonton, one day's work with another amounted to about fifty miles, but from Edmonton to Colville, we, more generally than otherwise, fell short of forty." From Colville, Sir George proceeded down the Columbia by canoe, and after reaching the coast, and making a tour of inspection as far north as Sitka, he left for San Francisco by steamer on his way round the world.

We will now close the list of land explorations for the present by referring to the expedition of Captain Palliser and

his associates in 1857-1860—which was undertaken by instruction of the Imperial Government. He ascended the St. Lawrence and traversed the lakes to Fort William, where his examinations may be said to have commenced, and in this he was aided by several well-known scientific men, among whom may be mentioned Dr. Hector, Lieutenant Blakiston, Mr. John W. Sullivan, and M. Bourgeau. The examinations made by the expedition extended from Lake Superior to the Okanagan Lakes, in British Columbia, and from the frontier of the United States northward to the sources of the chief rivers which flow to the Arctic Ocean.

In the summer of 1857, the attention of Captain Palliser was directed to that portion of the country lying between Lake Superior and the prairies, after which the course was up the Red River to Pembina, up the Assiniboine to Fort Ellice, and up the Qu'Appelle to the elbow of the Saskatchewan, thence across the country to Fort Carlton, where the party wintered.

At the commencement of the summer of 1858, the various branches of the expedition set out and examined the Eagle Hills, Battle River, Red Deer River, and Bow River districts. The latter stream was followed to the mountains, along the route on which the Canadian Pacific Railway is to-day constructed. The Vermilion and Kananaskis passes were examined, and the sources of Kootenay River reached. Dr. Hector returned by Kicking Horse River, and explored in the general direction of the mountains to the Brazeau range, and from the sources of the North Saskatchewan he followed the course of that river to Edmonton. Captain Palliser extended his journey to the boundary of the United States, and traces of the wearisome journeys made by Dr. Hector are everywhere to be

met with by the railway traveller, in the names of the mountains and rivers between Calgary and the Columbia.

In January, 1859, Dr. Hector left Edmonton on a journey to Jasper House, in the mountains, thence to the Athabasca Pass, and back to Edmonton. Capt. Palliser, in May, started for the forks of the South Saskatchewan and Red Deer River, and thence to the district near the United States boundary. He crossed the mountains by the Kootenay Pass, followed Kootenay River to Fort Shepherd and Fort Colville, and on reaching the latter place, he descended the Columbia to the sea.

The report of the Palliser expedition was presented to the Imperial Parliament in 1863, and contained much scientific and general information respecting the central prairie regions, which indicated the great agricultural and industrial possibilities of vast areas of the interior of British North America. Captain Palliser's report is also remarkable for his adverse recommendation to the British Government, in respect to opening up the country for settlement, and for the positive opinion given by him as to the impracticability of constructing a railway through British America to the Pacific.

We will on these two latter points quote Capt. Palliser's own words : " I therefore cannot recommend the Imperial Government to countenance or lend support to any scheme for constructing, or, it may be said, forcing a thoroughfare by this line of route, either by land or water, as there would be no immediate advantage commensurate with the required sacrifice of capital : nor can I advise such heavy expenditure as would necessarily attend the construction of any exclusively British line of road between Canada and Red River settlement."

In another part of the report, he says: "Still the knowledge of the country on the whole would never lead me to advocate a line of communication from Canada across the continent to the Pacific, exclusively through British territory. The time has now for ever gone by for effecting such an object, and the unfortunate choice of an astronomical boundary line has completely isolated the central American possessions of Great Britain from Canada in the east, and also almost debarred them from any eligible access from the Pacific coast on the west."



CHAPTER XVI.

A STRUGGLE FOR FREE TRADE.

IN 1837, the Hudson's Bay Company, through the Governor in London, Sir John Henry Pelly, asked for a further renewal of their license for twenty-one years, although at the time, the grant of 1821 had six years to run. The company probably considered the occasion opportune for making an appeal, and they certainly succeeded in presenting a strong case. They represented that peace reigned in their territory. That the company had kept off the Russians (Sir George Simpson having secured a lease of Alaska from that power), that they had favored explorations, established a settlement at Red River, and proposed extending their colonization efforts.

The appeal was successful, and in May, 1838, a renewal of the territorial license was granted for twenty-one years, with a reservation to the Queen of a right to plant distinct colonies upon any portion thereof.

No doubt the demonstrations made by the half-breeds against their authority, and the growing discontent of the population generally in the North-West at the arbitrary methods used in enforcing the claim of exclusive trade, induced the company to take time by the forelock, and secure an extension of their license in advance of any protest their opponents might present against it.

It will be observed that the appeal for a renewal was made

immediately after the formation of a system of government at Red River, and it was doubtless recognized that a further extension of their power in the country by Queen's license would strengthen their hands immensely.

No doubt it did, but the constitution and working of the council at Fort Garry provoked the first desire of the people for representative government, a feeling that slumbered in the minds of the settlers ever afterwards, breaking out now and again in demonstrations against the authority of the company, until finally it resulted in open rebellion.

At the very outset, the composition of the council was not popular, and the arbitrary decisions of the magistrates, all of whom were members of the government, only tended to heighten the discontent. The first petty jury was empanelled on 28th April, 1836, and the case of a man named Louis St. Denis, accused of theft, was tried, the prisoner being convicted. But the punishment to which he was sentenced created a feeling of popular excitement and indignation in the settlement, and destroyed much of the respect which otherwise the administration of justice by the new government would have enjoyed. St. Denis was condemned to be flogged, and on the day when the sentence was carried into effect, a force of police had to be employed to prevent a rescue, and the man who administered the flogging was obliged afterwards to run for his life from the mob, the interference of the police only saving him from falling a victim to their violence.

The trial of St. Denis, had the punishment been less severe, would have had a good effect, in showing that crimes and misdemeanors were no longer to be permitted with impunity, but the extraordinary sentence inflicted upon the culprit created a bad impression, and tended to excite sympathy for the trans-

gressor of the law, rather than respect or confidence in administration of justice. Matters, however, for some time after this, progressed smoothly, although the arbitrary and one-sided conduct of the magistrates, in cases where the exclusive right of the company to the fur trade was involved, excited a considerable amount of discontent.

It will thus be seen that from the first introduction of constitutional laws into the settlement, the system worked with only partial success, and the seven and a-half per cent. duty on imports was found to be so obnoxious to the people, and oppressive, that it had to be rescinded by the council, and reduced first to five and then to four per cent., at which rate remained until the transfer of the country to Canada. On the whole, however, the settlement was benefited by the change in the conduct of its affairs—peace and order were maintained—the laws were obeyed, and life and property were everywhere secure.

So far, the cases before the court had been conducted without the aid of lawyers, but in 1839 the company deemed expedient to have a man possessed of legal knowledge, to preside over the court in order to lend strength to the administration of justice. This was apparently a proper step to take, because cases were likely at any moment to arise, of a character to require the services of a professional man. But, strange to say, the proposal raised up a formidable host of objections. The new official was to act as Recorder of Rupert's Land, an appointment to which there was no opposition, but when the people understood that he would also be expected to act as judge on the bench, disapproval was expressed on all sides. The chief objection to his judicial functions was that he, as a salaried officer of the company, drawing £700 per annum

would naturally have a special eye to his employer's interest above that of all others, and bearing in mind the arbitrary policy pursued in regard to fur-trading, this view of the case had an important meaning.

In 1839, Mr. Thom, a gentleman of talent and high attainments in his profession, was appointed to the position, and duly arrived at Fort Garry. But from the start he was unpopular with a majority of the settlers—first, because he was looked upon as a company's man: secondly, because he could not speak French; and thirdly, because it was reported that his views were inimical to the interests of the Canadians and half-breeds. In short, the dislike of him became a fixed prejudice, which time only served to strengthen, and in this way the administration of the law was rather weakened than strengthened by his presence.

In the meantime, the Hudson's Bay Company endeavored to improve the material condition of the settlement, and we have to chronicle another attempt at experimental farming on their part. In this case, the scheme was dictated by the committee in London, who sent out an expensive manager and inexperienced workmen, the result being that the enterprise came to nought, at a loss to the experimenters of £5,500. It had become the habit at this period, to account for every step taken by the company, as wholly in their own interest, and against that of the settlers, and the heavy loss in the present instance was put down to a mere scheme on the part of the fur-trade, to injure the settlement. The absurdity of this reasoning is apparent, but it will show the peculiar state of feeling toward the company that existed about this time.

It must be borne in mind, however, that the company, having a license from the Imperial Government, giving them the

privilege of exclusive trade in furs, had the right to protect their interests. On the other hand, many people in the country doubted the justice of their claim, and endeavored in every way to oppose it secretly, if not openly, and in this way perfect unity could hardly exist between the governing power and the governed. The company could only use moral suasion, backed by the authority given them by the Imperial authorities, for they had no force at hand to compel obedience to their laws, and such was the state of affairs, when the French half-breeds began once more to be troublesome. The calling of these men consisted chiefly of buffalo hunting, which they first commenced as employés of the company, but gradually many of them prosecuted the hunt on their own account. During this time, the officers at the forts sympathized and assisted them, often purchasing the produce of the hunt when it was not required, and for a time the hunters remained on good terms with them. But as their numbers increased, they became more exacting in their demands, and less inclined to respect the exclusive rights of the company in the fur-trade. In their vagrant mode of life, they made frequent visits to the United States, and on such occasions often carried their furs with them, which they sold to the American traders, thus violating the law (according to the Hudson's Bay Company interpretation of it).

At last the authorities at Fort Garry resolved to put a stop, if possible to this illicit traffic (as it was termed), and one Registe Larant, on suspicion of having infringed the company's chartered rights, had his house forced open and the furs it contained forcibly seized. Two more seizures were then made, and the result was that the whole French half-breed population became enraged. The English half-breed

so far had stood aloof until one of their principal men named Hallet, deeming himself slighted by a company's officer, succeeded in arousing their sympathies in his favor and against the fur monopoly, the result being that French and English joined together, and for years afterwards there existed a spirit of combination which gave rise to plots, plans, and meetings of a nature to threaten the peace and tranquillity of the settlement.

The course, too, pursued by Mr. Thom seemed to justify the predictions made concerning him on his first arrival in the settlement, for his recommendations, although probably based upon a conscientious interpretation of the law, were yet unfortunately favorable, as a rule, to the company. Even this might have been overlooked if he had not stretched the meaning of the rights, and privileges of the charter to an unnecessary degree, so as to inflict what was really an injustice upon the community.

As an instance of this we give the following :

In 1844 a proclamation was issued by the Governor of Assiniboine, stating that all business letters from importers of goods to their agents in England, to be forwarded by the company's packet, should be sent to Fort Garry open for the perusal of the authorities previous to being dispatched. Such importers as would consent to sign a declaration, the substance of which was equivalent to a security against their engaging in any private fur-trading venture, were exempted from the necessity of compliance with this regulation. Mr. Thom's view of this extraordinary document was that the chartered privileges of the company, and the fact that they supplied the means by which the letters were conveyed, and the merchandise imported, gave them the right to fix the terms

upon which the facilities of postage and freight were afforded. On the other hand, the merchants contended that the Hudson's Bay Company under its administration obligations were bound to provide postal facilities on fair terms, and in virtue of its omnipotence to bring the goods necessary for its dependents over the only available route, of which it had the indisputable control. Certainly the merchants had the best of the argument, and it may be mentioned here that the governor and committee in London must have thought so, because they repudiated and disallowed a number of the regulations made by Mr. Thom.

From the above it will be seen that individuals in the settlement were engaging in the purchase and sale of goods which they imported from England, and this the company assisted by conveying the merchandise in their ships to York Factory. Now these vessels were not supposed or intended to be used as common carriers, but simply for freighting the supplies required by the company's own trade. It appears that they also carried, for private individuals, produce of the country from York Factory to be sold in England, and a merchant named James Sinclair having exported some tallow, a number of the principal half-breeds wrote to Governor Christie in 1840, asking for a reduction of the freight charges on that article, in order to stimulate its production and exportation. The company, probably remembering the fate of the Tallow Company which Sir George Simpson had attempted to establish, may not have had much faith in the success of the industry, even with low freights. At all events, Mr. Christie never answered the letter.

The number of petty traders now increased, and the company found that they were busily engaged in sowing the

seeds of dissatisfaction among the people, especially the plain hunters. The monopoly of exclusive trade in furs was being assailed, and a spirit of insubordination aroused against the authorities. Under these circumstances it was resolved to keep the traders in check, and on the 10th June, 1845, the following minutes of council were passed at Fort Garry:—

Resolved—That, once in every year, any British subject, if an actual resident and not a fur trafficker, may import, whether from London or from St. Peters (in the United States), stores free of any duty now about to be imposed, on declaring truly that he has imported them at his own risk.

That, once in every year any British subject, if qualified as before, may exempt from duty as before, imports of the local value of ten pounds, on declaring truly that they are intended exclusively to be used by himself within Red River settlement, and have been purchased with certain specified productions or manufactures of the aforesaid settlement, exported in the same season, or by the latest vessel at his own risk.

That, once in every year, any British subject, if qualified as before, who may have personally accompanied both his exports and imports, as defined in the preceding resolution, may exempt from duty, as before, imports of the local value of £50, on declaring truly that they are either to be consumed by himself, or to be sold by himself to actual consumers within the aforesaid settlement, and have been purchased with certain specified productions or manufactures of the settlement, carried away by himself in the same season, or by the latest vessel, at his own risk.

That all other imports from the United Kingdom for the aforesaid settlement, shall, before delivery, pay at York Factory a duty of 20 per cent. on their prime cost; provided, however, that the Governor of the settlement be hereby authorized to exempt from the same, all such importers as may, from year to year, be reasonably believed by him to have neither trafficked in furs themselves since the 8th day of December, 1844, nor enabled others to do so, by illegally or improperly supplying them with trading articles of any description.

That all other imports, from any part of the United States, shall pay all duties payable under the provisions of 5 and 6 Vict., cap. 49, the Imperial Statute for regulating the foreign trade of the British possessions in North America; provided, however, that the Governor-in-Chief, or, in his absence, the President of the Council, may so modify the machinery of the said Act of Parliament, as to adapt the same to the circumstances of the country.

That, henceforward, no goods shall be delivered at York Factory to any but persons duly licensed to freight the same ; such licenses being given only in those cases in which no fur trafficker may have any interest, direct or indirect.

That any intoxicating drink, if found in a fur trafficker's possession, beyond the limits of the aforesaid settlement, may be seized and destroyed by any person on the spot.

Whereas, the intervention of middlemen is alike injurious to the Honorable Company and to the people ; it is resolved—

That, henceforward, furs shall be purchased from none but the actual hunters of the same.

FORT GARRY, July 10th, 1845.

Copy of License referred to in foregoing Minutes :—

“ On behalf of the Hudson's Bay Company, I hereby license A. B. to trade, and also ratify his having traded in English goods, within the limits of Red River settlement. This ratification and this license to be null and void, from the beginning, in the event of his hereafter trafficking in furs, or generally, of his usurping any whatever of all the privileges of the Hudson's Bay Company.”

As might be expected, the passing of these minutes by the council raised a storm of indignation among those likely to be affected by them. The company, for some time previous to this, had begun to employ some of the leading half-breeds as middlemen in the fur trade, paying them money or goods, and receiving furs in exchange, whilst the middlemen undertook the trouble of procuring the furs from the natives, of course with some advantage to themselves. This was no new system in carrying on the fur trade, and the half-breeds, seeing so much profit in the business, had been tempted to engage in the fur trade on their own account, and as they could not export furs to England, they sent them, when opportunity occurred, into the American territory.

Having tasted the benefits of free trade, the question at once arose in their minds how far the privileges of the company could restrain the natives of the country from obtaining

rs, and disposing of them as they deemed best. The company declared the traffic illegal, but the half-breeds did not seem to consider it so, but stood upon their claims as the descendants of the native Indians, and denied that any right that of might could deprive them of their hereditary property in the wild animals of their ancient forests and prairies. Accordingly, a number of them addressed the following letter to the Governor of Assiniboine, on the 29th August, 1845. Little over a month after the passing of the minutes we have already quoted :

RED RIVER SETTLEMENT,

August 29th, 1845.

SIR,—Having at this moment a very strong belief that we, as natives of this country, and as half-breeds, have the right to hunt furs in the Hudson's Bay Company's territories whenever we think proper, and again to sell those furs to the highest bidder ; likewise having a doubt that natives of this country can be prevented from trading and trafficking with one another ; we would wish to have your opinion on the subject, lest we should commit ourselves by doing anything in opposition, either to the wishes of England, or the honorable company's privileges, and, therefore, we submit before you. as Governor of Red River Settlement, a few queries, which we beg you will answer in course.

1. Has a half-breed, a settler the right to hunt furs in this country ?

2. Has a native of this country (not an Indian) a right to hunt furs ?

3. If a half-breed has the right to hunt furs, can he hire other half-breeds for the purpose of hunting furs ?

4. Can a half-breed sell his furs to any person he pleases ?

5. Is a half-breed obliged to sell his furs to the Hudson's Bay Company whatever price the company may think proper to give him ?

6. Can a half-breed receive any furs as a present from an Indian, a relative of his ?

7. Can a half-breed hire any of his Indian relatives to hunt furs for him ?

8. Can a half-breed trade furs from another half-breed, in or out of the settlement ?

9. Can a half-breed trade furs from an Indian, in or out of the settlement ?

10. With regard to trading, or hunting furs, have the half-breeds, or persons of European origin, any rights or privileges over Europeans ?

11. A settler having purchased lands from Lord Selkirk, or even from the Hudson's Bay Company, without any conditions attached to them, or without having signed any bond, deed, or instrument whatever whereby he might have willed away his right to trade furs, can he be prevented from trading furs in the settlement with settlers, or even out of the settlement ?

12. Are the limits of the settlement defined by the municipal law, Selkirk grant, or Indian sale ?

13. If a person cannot trade furs, either in or out of the settlement, can he purchase them for his own and family use, and in what quantity ?

14. Having never seen any official statements, nor known, but by report, that the Hudson's Bay Company has peculiar privileges over British subjects, natives, and half-breeds, resident in the settlement, we would wish to know what those privileges are, and the penalties attached to the infringement of the same ?

We remain your humble servants,

JAMES SINCLAIR,
BAPTIST LA ROQUE,
THOMAS LOGAN,
JOHN DEASE,
ALEXIS GAULAT,
LOUIS LETENDRE DE BATOCHÉ,
WILLIAM McMILLAN,
ANTOINE MORRAN,
BAT. WILKIE,
JOHN VINCENT,

WILLIAM BIRD,
PETER GAROCH,
HENRY COOK,
JOHN SPENCE,
JOHN ANDERSON,
THOMAS McDEMON,
ADALL TROTIER,
CHARLES HOLE,
JOSEPH MONKMAN,
BAPTIST FARMAN.

TO ALEXANDER CHRISTIE, ESQ.,

Governor of Red River Settlement.

Mr. Christie replied as follows :—

FORT GARRY,

September 5, 1845.

GENTLEMEN—I received your letter of the 29th ultimo, on the evening of the 3rd instant, and I am sure that the solemn and important proceedings in which I was yesterday engaged will form a sufficient apology for my having allowed a day to pass without noticing your communication.

However unusual it may be for the rulers of any country to answer legal inquiries in any other way than through the judicial tribunals which can alone authoritatively decide any point of law, I shall, on this particular occasion, overlook all those considerations which might otherwise

me to decline, with all due courtesy, the discussion of your letter ; and the rather induced to adopt this course by your avowal, for I am bound to give you full credit, that you are actuated by an unwillingness to do anything in opposition, either to the laws of England, or the Hudson's Bay Company's privileges.

Your first nine queries, as well as the body of your letter, are grounded on the supposition that the half-breeds possess certain privileges over the native citizens, who have not been born in the country. Now, as British subjects, the half-breeds have clearly the same rights in Scotland, or England, as any person born in Great Britain, and your own sense will at once see how unreasonable it would be to place English or Scotchmen on a less favorable footing in Rupert's Land than the half-breeds. Your supposition, further, seems to draw a distinction between the half-breeds and persons born in the country, of European parentage. To men of your intelligence, I need not say that this distinction is more unreasonable than the other.

Your tenth query is fully answered in these observations on your first series.

Your eleventh query assumes that any purchaser of lands would have to trade furs if he had not "willed" it away by assenting to any other condition. Such an assumption, of course, although admissible in itself, is inconsistent with your general views ; the conditions of the charter, which, by the bye, have always been well understood to prohibit the exercise of the company's privileges, are intended not to bind the individual who is already bound by the fundamental law of the country, but merely to secure his lands as a special guarantee for the due discharge of his essential obligation.

What has been said, your twelfth query becomes wholly unim-

portant. Your fourteenth query, which comprises your thirteenth, and, in fact, the queries that you either have, or could have, proposed, requests me to enumerate the peculiar privileges of the Hudson's Bay Company, on the ground that you know them only through report. Consider, you have the means of seeing the Charter and the Land Deed, the enactments of the Council of Rupert's Land as concern yourselves and your fellow citizens ; and considering furthermore that, in point of fact, you have seen them, I cannot admit that you require information of the extent which you profess ; and even if you did require it, I do not think that I could offer you anything more clear than the documents which are, on which my enumeration of the company's rights must be based. If, however, any individual among you, or among your fellow citizens, should at any time feel himself embarrassed in any honest pur-

suit, by legal doubts, I shall have much pleasure in affording him a personal interview.

I am, gentlemen,

Your most obedient servant,

ALEXANDER CHRISTIE,

Governor of Assiniboine.

Messrs. James Sinclair, Bt. La Roque,

Thomas Logan, and others.

The solemn and important proceedings referred to in the first paragraph of Mr. Christie's letter were in connection with the first execution that ever took place in Red River. An Indian—a Saulteaux—out of revenge had shot a Sioux, and in doing so, had also killed one of his own tribe. He was promptly arrested, tried, and being convicted, was hung from the walls of Fort Garry on the 5th September, 1845, as an example to deter other Indians from committing murder.

The reply of Governor Christie was not, as may be imagined, very satisfactory to the parties to whom it was addressed, and it certainly did not tend to allay the feeling of opposition against the company. No opportunity to enforce respect for the chartered rights was at this period neglected by the authorities at Fort Garry, and even in the preparation of a land deed, a condition was included by which the signer bound himself not to violate any of the licensed privileges of the company. Yet the handwriting was on the wall, and the accomplishment of free trade was not far off. A petition urging complaints against the Hudson's Bay Company was framed for presentation to the Imperial authorities, and numerous signatures were attached to it. The document was then forwarded to Mr. A. K. Isbister, in England, who presented it to the Colonial Secretary on the 17th February, 1847, and the government in reply proposed sending out commissioners to the North-West to investigate the charges. But this the com-

agents would not agree to, on the singular ground that the Hudson's Bay officials at Fort Garry would be able to unduly influence them. Earl Grey, who was then Secretary of State for the Colonies, received testimony for and against the company, and then notified Mr. Isbister that he must assume the expense of a judicial process if he desired to have one, adding, however, that the validity of the charter was not to be questioned. Mr. Isbister declined to proceed, and although he continued to agitate for a cancellation of the company's monopoly, and succeeded in interesting a number of prominent members of the House of Commons in the subject, he failed to accomplish the object he had in view.

Mr. James Sinclair, whose name headed the list of signatures to the letter addressed to Mr. Christie, on the 29th Aug., 1845, had busied himself in preparing the petition to the Home Government, and in other ways made himself conspicuous in agitating against the Hudson's Bay Company. He received his reward in the following letter.

SIR.—I beg to state that in a private letter from Mr. Secretary Smith, dated the 18th April last, and received on the 25th instant, I am requested to acquaint you that no goods will be shipped in your name on board the Hudson's Bay Company's ships for York Factory.

I am sir,

Your most obedient servant,

ALEXANDER CHRISTIE.

Mr. James Sinclair.

The meaning of which was that Mr. Sinclair's business was ruined for that year.

The proceedings of the company in thus punishing those who were opposed to them, and forcing compliance with their

regulations against trading in furs, may appear harsh and unjust, but it must be borne in mind that they looked at the matter purely from a business stand-point. They had been granted exclusive privileges by the Imperial authorities, with the power to enforce respect for them, and if they had permitted infringements of their rights, the license they possessed would not have been worth more than waste-paper. But the people of the country, who regarded the Hudson's Bay Company as the government with power to make and unmake laws, it appeared in the light of oppression, and the half-breeds, who were of an excitable nature and easily moved by good or evil, became the ready tools of designing parties.

Thus matters stood, with an under current of discontent proaching rebellion, but no open hostility to the company when in January, 1846, the influenza raged, and in May measles broke out in the settlement. Neither of these epidemics proved very fatal, but in June, the bloody flux began its ravages among the Indians, and soon spread with fearful rapidity among the whites, carrying off large numbers of them. From 18th June to the 2nd August, the deaths averaged seven a day, or 321 in all, and there was hardly a household that did not mourn for the loss of one or more of its members: indeed, a number of houses were closed altogether, not one of the family, old or young, being left in them.

This affliction for the time being overshadowed all matters relating to trade or business of any sort, and hardly had the plague ceased when a force of British troops appeared on the scene, and, while they remained in the country, all opposition to the Hudson's Bay Company ceased.

In the month of September, Lieut.-Col. Crofton arrived at Fort Garry, in command of a wing of the 6th regiment

oot, accompanied by detachments of Artillery and of the Royal Engineers. This force, consisting of eighteen officers, three hundred and twenty-nine men, seventeen women and nineteen children, or three hundred and eighty-three in all, left Cork, in Ireland, by orders of the Duke of Wellington, under special instructions, and landed at York Factory on the 15th August. They had twenty-eight pieces of artillery with them, but only conveyed nine to Red River, but their numbers and armament were sufficiently strong to strike awe into the hearts of the disaffected, and, from the moment of their arrival, lawless defiance was reduced into silence.

The real object which the British Government had in view when they sent this body of troops to Red River is not known, as they were despatched under secret orders, but it is supposed that the disputes arising out of the Oregon question had something to do with it. It is not to be considered for a moment that so strong a force was sent merely to uphold the rights of the Hudson's Bay Company, or that the demonstrations made in the settlement against their authority had anything to do with it. The impression created in the minds of the people was, however, highly favorable to the maintenance of law and order.

Having referred to the Oregon question, it may now be as well to give a few particulars regarding it, and the establishment of a boundary line between the British North-West and the United States. In 1807, the pretensions of the Americans to the Oregon became the subject of diplomacy between the two governments, but nothing definite was done. In 1814, pending the treaty of Ghent, the subject was renewed, and it was then agreed that the places seized by either party should be returned to the other. In 1818 the subject was renewed,

and it was agreed that the country west of the Rocky Mountains should be open to both parties for ten years, without prejudice to their respective claim. The convention, then recognizing the fact that the north-west corner of the Lake of the Woods on the eastern side of the mountains might be distant from the 49th parallel, provided that the line from that corner should run due north or south, as was required, till it struck that parallel, and thence westward on that parallel to the crests of the Rockies. The question of boundary, however, remained a matter of dispute, and the Americans did not conceal their desire to exclude all Europeans, especially British subjects, from the Atlantic to the Pacific. The 49th degree of latitude was the extremest northern limit that the Americans could get to their claim in their boldest assumption of right, yet the President, in his formal message to Congress on 5th December, 1842, says: "The United States have always contended that their rights appertained to the whole region of country lying on the Pacific, and embraced within 42° and 54° 40' of north latitude." England had also Russia to deal with on the north, while the Americans were annoying her at the south of her possession, and it was not until 1840 that it was agreed between the two governments that the Hudson's Bay Company should enjoy for ten years the exclusive use of the country extending from 54° 40' north to Cape Spenser, near 58° north.

By the Ashburton Treaty, concluded August 9th, 1842, and which was assailed by Lord Palmerston as the "Ashburton Capitulation," the boundary line is described as running across Lake Superior, thence along several waterways, streams and portages to the Lake of the Woods, and across that lake to a point fixed at the north-west corner (49° 23' 55"), and

then south to the 49° parallel, and along it westerly to the mountains.

This decided the boundary east of the Rockies, and the treaty of 1846 determined the 49th parallel from the mountains to the sea as the bounds, and provided that the line on the 49° n. lat., having struck the water, should follow the middle of the channel dividing Vancouver Island from the main, and thence proceed through the middle of Fuca Straits to the Pacific.

The disputes over this boundary question were at times very warm, and it is not unlikely that they were the chief reason for Great Britain sending troops to Red River in 1846, and in support of this, is the fact that they were recalled almost immediately after the disputed question had been settled. The 6th foot left Red River, in July, 1848, and in the autumn of the same year, Major Caldwell, with fifty-six pensioners, non-commissioned officers and men, arrived at Fort Garry to take their place. Major Caldwell was also appointed Governor, and it may be well to state here that Mr. Christie, who appears prominently in this chapter, filled the gubernatorial chair from June, 1833, to June, 1839, and was succeeded by Mr. Duncan Finlayson, who remained in office till June, 1844, when Mr. Christie enjoyed a second term until June, 1846.

When Colonel Crofton arrived he filled the position of chief-magistrate for one year, at the end of which time he returned to England and was succeeded in the command of the troops and in the Governorship by Major Griffiths, who held the office until the 6th foot left the settlement. Major Caldwell then became Governor, and, as will be seen from the following letter of instructions handed him with his appointment, he was charged with very important duties.

DOWNING STREET, 10th June, 1848.

SIR—I am directed by Earl Grey to acquaint you that so soon as circumstances will admit, after your arrival at Assiniboine, Her Majesty's Government will expect to receive from you a full and complete account of the condition of affairs at the Red River settlement, and particularly the mixed and Indian population living there ; charges of maladministration and harsh conduct towards the natives having been preferred against the Hudson's Bay Company, which it is of the utmost importance should be either established or disproved. Her Majesty's Government expect from you, as an officer holding the Queen's commission, a candid and unbiassed report of the state in which you find the settlement you have been selected to preside over.

I would particularly direct your attention to the allegations which have been made of an insufficient and partial administration of justice : of embarrassments occasioned by want of a circulating medium, except promissory notes payable in London ; the insufficient supply of goods for ordinary consumption, by the company ; and the hardships said to flow from an interference, which is reported to be exercised in preventing the free trade between the inhabitants from dealing in furs with each other, on the ground that the privileges of the native Indians of the country do not extend to them. These are only mentioned as instances, and your own judgment is relied on for enquiry into other points.

I have, &c.,

(Signed), B. HAWKINS.

Major Caldwell, however, did not prove to be a success either as a governor, commander, or investigator, a good deal of dissatisfaction being expressed by the people with his administration of affairs : and the pensioners were neither respected nor feared, for hardly had the 6th foot turned their backs on the settlement, when signs of disaffection once more appeared. Mr. Isbister, in the meantime, continued at work in England, agitating the cause of the Red River people against that of the company, but with indifferent success, and to judge from the following extract taken from a despatch sent by Lord Elgin, Governor-General of Canada, to Earl Grey, they were men in high positions who were not disposed to place much faith in the righteousness of the people's case.

"It is indeed," says Lord Elgin, "possible that the progress of Indians towards civilization may not correspond with the expectations of some of those who are interested in their welfare. But disappointments of this nature are experienced, I fear, in other quarters as well as in the territories of the Hudson's Bay Company, and persons to whom the trading privileges of the company are obnoxious, may be tempted to ascribe to their rule the existence of evils which it is altogether beyond their power to remedy. There is too much reason to fear that if the trade were thrown open, and the Indians left to the mercy of the adventurers who might chance to engage in it, their condition would be greatly deteriorated."

While these discussions were going on abroad, and opinions being expressed, while committees were investigating the matter pro and con, an event occurred in the settlement which turned out to be a death-blow to the exercise of their exclusive privileges by the Hudson's Bay Company. In the spring of 1849, a French half-breed, William Sayers, with three others named McGillis, Laronde and Goullé, were accused of illicitly trafficking in furs, and held to bail to stand their trial, the charge against them being that they had accepted furs from Indians in exchange for goods, which was contrary to the rules and regulations of the company's charter. Although the authorities had made use of high-handed proceedings to enforce what they deemed the rights of the company, this was the first instance of a public trial for the offence, and Major Caldwell and Judge Thom in bringing it to this pass, made a great mistake. It was throwing down the gauntlet to the native population at a time when they had no power sufficient to enforce respect for their authority. The 17th of May was the day appointed for the trial, and before it took place, it was

decided by the friends of the prisoners, and indeed by the entire community of French half-breeds, to make a demonstration in their favor.

Accordingly, on the morning of the 17th May, groups of excited people were seen hastening in the direction of the court house, and boats and canoes were passing and repassing across the river, filled with men bound for Fort Garry. The court-house, which was a small building outside the fort, was surrounded by a restless mob of people, who became the more threatening as a rumor spread that Major Caldwell intended to have his pensioners under arms to resist any attack. The military, however, did not make their appearance, and when the hour of trial came, the Major, Judge Thom, and the magistrates, took their seats on the bench without any display of armed force to protect them. But by this time there were about 400 armed men collected around the court-house, and when the case of William Sayers was called, that individual did not appear, being held back by a number of his friends, until at last, after a consultation of the bench, word was sent out to the half-breeds that they might appoint a leader to assist Sayers in the course of his trial, and this was accepted, a man named Sinclair being chosen for the purpose.

The trial, however, was a farce, for after Sinclair had challenged nine out of the twelve jurymen, Sayers coolly admitted that he did trade furs from an Indian, and was thereupon adjudged guilty, and a verdict in accordance entered against him. But, on the prisoner stating that an officer of the company named Harriott had given him permission to trade, he was released, and the case against McGillis, Laronde and Goullé was dropped.

This action on the part of the court was taken to mean a

victory for the half-breeds, which it really was, and immediately the cry went up from the mob, "Le commerce est libre ! Le commerce est libre ! Vive la liberté !" and, shouting these words, midst yelling, whooping and firing of guns, the crowd went surging on to the river bank, where they were boated across, and on arriving at the opposite side they gave three cheers and fired three volleys in honor of "la liberté."



CHAPTER XVII.

THE CHURCH IN THE NORTH-WEST.

IN a previous chapter we referred to the labors and trials of the early missionaries, and now we will give an account of the work and spread of the church in the North-West. To do so, we will be obliged to retrace our steps to the time when the first missionary appeared in Red River. We have already shown how Rev. Père Messenger accompanied Verandrye on his first expedition to the North-West, and how Père Arneau was massacred by the Sioux Indians at Lac de la Croix, but the first serious attempt of missionaries to settle in the country was in 1818, when Rev. Joseph Norbert Provencher, and the Rev. Sévère Dumoulin, arrived at Red River. Soon after this a church and mission-house were erected at St. Boniface, on the eastern bank of the Red River, opposite the mouth of the Assiniboine, and here the French-Canadians flocked to the services. In 1820 another priest, named Th. Destroismaison, arrived in the country, followed by another in 1822, named Jean Harper, and in the latter year, Rev. J. N. Provencher was consecrated Bishop of Juliopolis, a name derived from a town in Galatia, under the metropolitan see of Ancyra.

In the meantime, the Scotch settlers had been promised a minister of the Presbyterian faith, and indeed Lord Selkirk had selected a couple of lots on which a church and school-house were to be built for them. But a gentleman, named

Mr. Sage, son of Rev. Alexander Sage, of Kildonan, Scotland who was appointed to the ministry at Red River, for some reason, never made his appearance, and a Mr. James Sutherland was selected by the settlers to marry and baptize, and to expound the Scriptures, although he was not an ordained minister. Repeated applications were made by the colonists for the services of a regular minister of their own denomination without success, and a petition was even sent to Rev. John McDonald, of the parish of Urquhart, Ross-shire, stating their condition, and praying him to do something in their behalf, but Mr. McDonald never replied to this petition, and it is presumed, therefore, that it did not reach him, so Mr. Sutherland continued in his ministrations.

On the 14th October, 1820, Rev. John West arrived in the settlement, who, in his journal afterwards published, says that, in his appointment as chaplain to the Hudson's Bay Company, he was instructed to reside at the Red River settlement, and under the encouragement and aid of the Church Missionary Society, to seek the instruction, and endeavor to meliorate the condition of the native Indians. He sailed from Gravesend on board the Hudson's Bay Company's ship *Eddystone*, on the 27th May, 1820, so that it took him about five months to reach his destination at Red River. Immediately after his arrival he began the work of his ministry, and, speaking of the churches in the settlement at that time, he says: "There was an unfinished building as a Catholic church, and a small house adjoining, the residence of the priest: but no Protestant manse, church, or school-house, which obliged me to take up my abode at the Colony Fort (Fort Douglas), where the 'charge d'affaires' of the settlement resided, and who kindly afforded the accommodation of a room for divine worship on the Sab-

bath. My ministry was generally well attended by the settlers, and soon after my arrival I got a log house repaired, about three miles below the fort, among the Scotch population, where the schoolmaster (a Mr. Harbidge) took up his abode, and began teaching from twenty to twenty-five children."

In December, Mr. West took up his residence on a farm belonging to the estate of Lord Selkirk, which was about six miles distant from the school-house, and, to use his own words, continued to have divine service regularly on the Sabbath. In this way, through the ministrations of Mr. Sutherland, the Catholic priests, and Mr. West, the moral and social obligation of marriage came to be enforced upon those who were living with, and had families by, the Indian or half-caste women, and, as Mr. West says, he had the happiness to perform the ceremony for several of the most respectable of the settlers, under the conviction "that the institution of marriage, and the security of property, were the fundamental laws of society."

Mr. West's instructions were to afford, in addition to his work among the Indians, religious instruction and consolation to the servants in the active employment of the Hudson's Bay Company, as well as to the company's retired servants and other inhabitants of the settlement, upon such occasions as the nature of the country and other circumstances would permit. Accordingly, early in the winter of 1821, he visited Brandon House and Qu'Appelle, on the Assiniboine, on a missionary tour, and in the following summer paid a visit to Norway House and York Factory. While at the latter place, he organized an auxiliary to the British and Foreign Bible Society, in the form of a Bible Society for Prince Rupert's Land and the Red River Settlement, the company's officers subscribing at

ce over one hundred and twenty pounds sterling for the purpose, and as a result of this effort the scriptures, published in English, Gaelic, German, Danish, Italian, and French, were afterwards circulated in different parts of the country. In the following, a liberal donation was received from England, in support of the missionary work in the North-West, and about the same time, Mr. West opened, with divine service, a building which was intended as a school house and temporary place of worship in the settlement, on which occasion he baptized two of the boys under his charge, one of whom afterwards became a clergyman in the country (Rev. H. Budd). Soon after this, in September, 1822, while on a visit to York Factory, he presided at the first anniversary meeting of the Auxiliary Bible Society, at which, it may be mentioned, Capt. Franklin (afterwards Sir John Franklin) was present, being at the time on the return from his northern trip to the mouth of the Coppermine. The donations, in aid of the society, amounted then to £260 0s. 6d., of which sixty pounds was subscribed at the anniversary meeting.

Thus the Christian religion was being spread, and Mr. West, by his zealous efforts in the settlement and during his travels through the country, did much to lay the foundation of the Protestant Church in the North-West. Writing in June, 1823, he says, "Our Sunday School is generally attended by nearly fifty scholars, including adults, independent of the Indian children; and the congregation consists, upon an average, of from one hundred to one hundred and thirty persons. It is a most gratifying sight to see the colonists, in groups, direct their steps on the Sabbath morning towards the Mission-house, at the ringing of the bell, which is now elevated in a spire that is attached to the building."

On the 10th June, 1823, Mr. West preached 1 sermon in the church just described, and in a for York Factory, from which place he paid a Esquimaux, and then returned to England.

While the Church of England was thus progr work, the Catholic priests were quietly establishing on the banks of the Red River, among the peo faith, and preparing the way for the planting o missions which, in after years, spread themseve every corner of the vast North-West. In addit church at the confluence of the Red and Assini they had erected one at Peumbina, where a number an families were settled, and in this way provid flock, preparatory to the arrival of more priests the work.

The Scotch settlers, however, remained in a sta isfaction because no Presbyterian minister was them, and some very unjust statements have bee relation to this oversight to provide for their spir The question is, who was responsible for the neq West has been assailed, the Church of Englan accused of conniving at it, and the Church Missior reproached for sending out an Episcopalian, whe terian clergyman was needed. There is no do minister of the church of Scotland having been the Scotch settlers, and the only way to accou Selkirk's omission is, that about that time he midst of serious trouble and complications, arisi contest with the North-West Company, and that affairs caused him to forget, for the time being, t he had made to his people.

Mr. West, it must be remembered, was appointed chaplain to the Hudson's Bay Company, with his field of duties extending to various posts and not confined to the settlement, and no doubt the directors of the company, as well as the Earl of Selkirk, had something to say about his appointment. The colony was his lordship's particular charge, and the neglect of sending a Scotch minister must be laid at his door, or at that of his agent, and can only be accounted for in the way we have already mentioned. Was Mr. West or his successors to remain idle among the Scotch settlers, or was it their duty to preach the Gospel to all whom they could induce to listen? As missionaries, their path was a very plain one, to do their best, under the circumstances, and this, from all we can learn, they did, but at the same time, it was only natural for the Scotch to wish for a minister of their own denomination, and the wonder is that the Presbyterian church of Scotland, left them so long without what they desired. This, we do not say in a spirit of reproach, because there may have been circumstances perfectly justifiable to cause this seeming lack of interest in the settlers. In 1846, when a petition was sent home to the Free church of Scotland, to have a minister sent out, it remained for three years unanswered, and at the end of that time the reply was, that communications had been opened with two or three on the subject, but none of them felt it their duty to accept. Surely, then, if this apparent lukewarmness was displayed by the Presbyterian Church, it was hardly fair to lay the blame at the door of the Church of England. However, we are anticipating, and must return to the consideration of our subject in its proper order.

In 1823, shortly after Mr. West's departure, Rev. D. T. Jones arrived in the settlement to take his place, and, like his prede-

cessor, found a good deal of opposition to his success amongst a certain class of the people. Some remarks of his regarding the different classes of settlers, published in the *Missionary Register*, and which would have been better left unwritten, were quoted against him, and made his path all the more difficult. But Mr. Jones was a good and earnest man, as well as an eloquent preacher, and it was not long until he found his way into the hearts of all classes of the community, even his greatest opponents admitting that he possessed amiable qualities and was tender-hearted, kind, and liberal to a fault. Finding so much opposition on the part of the Scotch to certain parts of the Liturgy and formula of the Episcopalian church, he laid them aside for the time being, and also held prayer meetings in a manner somewhat after their own heart. This he did to win them, in order, as he said, to do good to their souls, and certainly, if we are to judge by the way he managed to gain the love and respect of the whole people, his efforts were successful.

In 1824, he commenced the erection of a second church, about six miles farther down the Red River than the upper one, and being joined by Rev. William Cochran, in 1825, the two clergymen conducted their work conjointly for one year, at the end of which time Mr. Jones paid a visit to England. In 1827, a settlement having sprung up at a spot called Grand Rapids, about twenty-five miles from the mouth of the Red River, and fifteen from Upper Fort Garry, Mr. Cochran commenced the erection of a third church, where he officiated for seven years. In 1831, the original building was replaced by a larger structure, and that in turn was torn down to give way, in 1849, to one of greater proportions, and more substantial construction, which to this day remains, and is known as St.

Andrew's Church. In 1836, Rev. Mr. Cochran, who was indefatigable in his efforts to promote the cause of religion, erected a small wooden church about twelve miles down the river from his parsonage, at St. Andrew's, which was afterwards known as the Parish of St. Peter, where he gathered around him a congregation composed chiefly of Indians.

By this time the Roman Catholic priesthood in the settlement was augmented by the addition of five to their number, making altogether, exclusive of the Bishop, eight priests laboring in the settlement, and thus the Catholics and Episcopalians thrived in their work, while the Scotch were still without a minister of their own denomination.

The first Roman Catholic mission established in connection with the church at Red River, was at a place about thirty miles up the Assiniboine, named Saint Paul's, the Rev. G. A. Belcourt being placed in charge of it. Here the worthy priest succeeded in gathering around him a few Indians and half-breeds, by whose aid he managed to erect several houses and a church, where he labored for a number of years. The next mission was founded by Rev. Joseph E. Darveau at a point on the Winnipeg River called "Wabassimong," about 200 miles south-east of Red River, where another church was built, and a settlement formed around it. This was followed about a couple of years afterwards by a third mission on the shores of Lake Manitoba, which for a time flourished, and a church, parsonage and school being built, it was hoped that it would continue to prosper. But the Catholic priests experienced many difficulties, and, being poor, had not the same opportunity to extend their labors as rapidly as the Protestant missionaries. What they lacked in means, however, they made up by zealous perseverance, and gradually they made

their way midst drawbacks and disappointments. In 1844, twelve priests had joined the diocese of Juliopolis, and in that year, some sisters of charity belonging to the order of the Grey Nuns, or "Filles de Madame de Youville," came to the settlement, and founded the first convent in the North-West. In that year also, Rev. Mr. Darveau met his death by drowning, while on his way to "Wabassimong," and not long afterwards the mission at that place had to be abandoned.

Early in 1845, at the request of the Bishop of Juliopolis, Rev. Père Aubert, an Oblat Father, was sent to assist him, and accompanying him was Frère Taché, a novice of the Order, who, upon his arrival, was admitted into the ranks of priesthood by ordination of Bishop Provencher. Rev. Père Aubert was then made Vicar-General of the diocese, and through his agency, the young priest Taché was received into the Order of Oblats.

Thus matters stood with the Roman Catholics in 1845, and now we will once more turn our attention to the Church of England. In 1838, Rev. Mr. Jones took his final departure from the settlement for England, and the entire charge of the parish was left in the hands of Mr. Cochran, thus imposing upon him more work than he could well attend to. Each Sunday he regularly attended service at the upper, middle and lower churches, at the hour arranged for his convenience, thus necessitating a journey of between thirty and forty miles, in addition to his regular clerical labors. Mr. Cochran was an indefatigable and earnest worker, and no doubt performed his extra duties cheerfully, but he must have experienced a feeling of relief when he welcomed the arrival of Rev. John Smethurst in 1839, who immediately took charge of the church at St. Peter's. In 1841, Rev. Abraham Cowley

he to the settlement and took over the middle church, and 1844 Rev. John McCallum arrived, and became incumbent of the upper one, thus allowing Mr. Cochran to give his whole attention to St. Andrew's. In 1846, he began making preparations for the erection of the second church in his parish, while the work was in progress, he handed over the pastorate to Rev. Robert James, and paid a visit to England, being absent for about a year. Soon after his return, the death of Mr. McCallum left him the extra duty of attending to the wants of the upper church, in addition to his own, and thus came about that for eight years, from 1839 to 1847, Mr. Cochran performed work which would have tried the strength of the strongest man. Indeed, he is regarded to this day as having been one of the most active and zealous missionaries in the country, and not only did he labor for the salvation of his flock, but he assisted them with money, and in other ways, in clothing and feeding them when in want.

The Church of England now began to extend their missions beyond the Red River, for we hear of Rev. Mr. Cowley establishing one at Lake Manitoba, and about the same time, the Saulteaux established themselves at Lac la Pluie. In 1839, the Hudson's Bay Company invited and encouraged the Wesleyan Society to extend their missions to the North-West Territories, and shortly afterwards, six stations were established—namely, at Moose, Michipicoten, Lac la Pluie, Fort Alexander, Edmonton and Norway House.

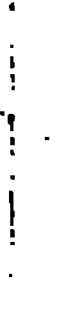
The following extract from the minutes of a council held at Norway House, on June 24th, 1840, will show the position adopted by the Hudson's Bay Company in regard to the Wesleyan efforts:—

Resolved,—That three missions be established in the North-

ern department this season, say one at Norway House, under the charge of Rev. Mr. Evans : one at Lac la Pluie, under the charge of the Rev. Mr. Mason : and one at Edmonton, under the charge of Rev. Mr. Rundle : that every facility be afforded them for successfully conducting their spiritual labors : and that a copy of the 9th paragraph of the Governor and committee's despatch of March 4th. 1840, on this subject, be forwarded to each of the gentlemen in charge of the above districts, for purpose of giving full effect to their Honors' instructions."

In a letter dated August, 1841, Rev. James Evans, General Superintendent of the Wesleyan Missions in the Hudson's Bay territories, writes as follows :—" Since my arrival in the country, I have visited York Factory, of which I made the committee aware last autumn. On my return, I remained at Norway House until December, and left it early in that month, to visit the posts within my reach. During the winter, I visited Moose Lake, the Pas, Cumberland House, Shoal River, Fort Pelly, Beaver Creek, Red River, on my way to Fort Alexander and Behring's River : and returned to Norway House at the latter end of March. I was received at every post of the Honorable Company with the greatest kindness, and experienced every attention from the gentlemen in charge. . . . I intend, by the Divine blessing, to visit the following places during a journey which it is my purpose to commence, namely, Cumberland, Carlton, Fort Pitt, and Edmonton, where I hope to meet my good brother, the Rev. Mr. Rundle. After spending a few weeks in that vicinity, I shall proceed by winter conveyance (snow shoes and dog carriages), to Forts Jaspar, Assiniboine, Lesser Slave Lake, Dunvegan, Vermilion, Chipewyan, Fond du Lac, La Crosse, Green Lake, and back by Carlton : thence to Norway House by the Sas-







His Grace Archbishop of Rupert's Land.



katchewan or Athabasca boats, reaching Norway House in June or July, 1842. The journey is undertaken with the decided approbation of the Governor-in-chief, Sir George Simpson, who kindly assured me that he would, himself, in passing the Saskatchewan, see that every preparation should be made for me to proceed thence."

The ministers engaged in the Wesleyan missions at that time were Rev. Messrs. Evans, Barnley, Mason, Rundle, Jacobs, and they received every encouragement and assistance in their work, but their efforts were not crowned with the success they desired, although the Wesleyans have continued ever since to work in the country.

Turning once more to the Roman Catholics, we find that in 1842 the Rev. Mr. Thibeault travelled westward, and was the first priest to visit the Saskatchewan Valley and English River District. In the former, he founded the mission of Ste. Anne, in 1843, and in the latter, the stations called Notre Dame des Victoires, and Isle la Crosse, at Red Deer Lake, and about this time the Catholic missionaries must have been very active, for we find in the report of the Wesleyan missions of 1843, that Mr. Rundle's position at Edmonton was particularly trying, the people around him being chiefly Roman Catholics, and the priest from Red River having that summer visited extensively both the company's posts and the Indians.

The Catholic missionaries built comfortable mission stations in different parts of the country, which were erected after the expenditure of much trouble and hard labor; and not only this, but the enthusiastic builders of these houses were ever on the move, and may be described as belonging to a class of men who, at the first intimation or hope of permanent work,

were quite willing to take up their abode in the wigwams of the savages, until such time as they could establish themselves in more comfortable quarters. In this way, the Catholic missions spread rapidly, their work becoming more important each year, until their labors extended to every part of the country.

From 1844 to 1850, Bishop Provencher alone conducted the business of his diocese, but in the latter year a coadjutor and successor was appointed, in the person of Père Taché, who, as a young novice of the Order of Oblats, arrived in the country in 1845. In less than five years he rose from that humble position to become the Bishop of Arath, the title which he assumed as coadjutor to the Bishop of Juliopolis, and when, in 1853, Monseigneur Provencher died, he became the Bishop of St. Boniface.

The Scotch settlers, during all this time, had continued the agitation for a minister of their own creed, but so far without success. It seems somewhat singular that the Hudson's Bay Company should have shown so much sympathy, and extended so much assistance to the other denominations, while the petitions of the Scotch for a minister were received with a deaf ear. There is this, however, to be said about it—the Church of England and the Wesleyans appeared to take an interest in the subject of the North-West missions, while the Church of Scotland, so far as can be learned, took no active steps in the matter. The agitators on behalf of the Scotch took the ground that a promise had been made by Lord Selkirk to send a Scotch minister to Red River, producing at the same time proof that such was the case, and held that the Hudson's Bay Company, in taking over the settlement, had a right to carry out the obligations of their predecessor. The

on the other hand, looking at it purely in the light of the promise made on them, treated it from a business point of view without sentiment, and declared that when the transfer was made to them the providing of a Scotch minister for Red Bay was not even mentioned, and on that ground they re-claimed. Had the matter been presented to them in a different form, it is quite possible the Scotch would have had a minister at a much earlier period than they did. Now, it is clear to every unbiased mind, looking at the subject of the day, that each side had a good case in the view of the facts. The Scotch, relying on the promise made to them, expected its fulfilment, and the Hudson's Bay Company, to have no share in that promise, repudiated all responsibility in regard to it, while the Presbyterians in Scotland, from whom the minister was to be obtained, stood aloof during the time the discussion was going on. This, it appears to me, is a plain, unvarnished statement of the case.

I will, however, to place the subject clearly before our readers, quote from the correspondence that took place between the various parties in relation to it. In a petition, presented by the Scotch settlers to the Governor and committee of the Hudson's Bay Company, in 1844, the following clause appears :

"We, your petitioners, before leaving Scotland, had a promise from the late Earl of Selkirk, that a clergyman of our own church would either accompany them to this colony or join them the following year in it. That when the ship visited the colony, in the year 1817, this promise was renewed; but the troubles, or rather the lawsuits, in which your Lordship was engaged in Canada, detained him long and the state of his health after going home, rendering it very difficult for him to travel on the Continent of Europe,

when he unfortunately died, put an end to the hope which they, up to that period, had cherished, and which has not since been realized."

The letter then drew attention to the fact that the company were assisting other missionaries in the country, while the Scotch were being allowed to grope in the dark, and it concluded as follows :

"Therefore, your petitioners would most humbly and respectfully implore your honorable board to send to this colony a Presbyterian clergyman, of the Kirk of Scotland, for their edification and instruction : and, as their means will furnish him with but a small stipend, you would be pleased, according to your usual liberality, to contribute something towards his support, in like manner as you have done to all the missionaries sent to your territories."

The Governor and committee replied to this letter on the 31st March, 1845, and the following is an extract from their letter :

"The reasons urged in support of the petition are the granting of similar indulgences to missionaries of other denominations, and a promise made by the late Earl of Selkirk to the original settlers of Red River : with respect to which the Governor and committee have to observe, in the first place, that the indulgences granted to missionaries can form no precedent for maintaining the minister of a Presbyterian congregation at Red River Settlement, as these indulgences are allowed in consideration of the services rendered by the missionaries in instructing and converting the aboriginal inhabitants, who are unable to provide religious instruction for themselves : and secondly, that they know of no such promise as that stated to have been given by the late Earl of Selkirk.

During the time that the settlement was under the direction of the late Earl of Selkirk, no steps appear to have been taken with a view to the appointment of a Presbyterian clergyman." (Note—This was incorrect, as Mr. Sage was appointed by his Lordship, but never visited Red River.) "Nor when it was transferred by his Lordship to the Hudson's Bay Company, was any stipulation to that effect made with them. Nevertheless, if you and those you represent are prevented by conscientious scruples from availing yourselves of the religious services of a clergyman of the Church of England, the Governor and committee will order a passage to be provided on one of their ships for any minister to be supported by yourselves whom you may think fit to engage."

The representatives of the Scotch then procured affidavits from several of the settlers in confirmation of Lord Selkirk's promise, and forwarded them with another petition to London, and on the 6th June, 1846, the Governor and committee sent the following reply:

"GENTLEMEN—I am directed by the Governor, Deputy-Governor, and Committee of the Hudson's Bay Company to acknowledge receipt of your letter of the 18th July last, with accompanying documents, and to acquaint you that they can neither recognize the claim therein advanced, nor do anything more towards the object you have in view than they have already stated their willingness to do.

"I have the honor to be, etc.,

"(Signed), A. BARCLAY,

Secretary."

This reply being decisive, the settlers turned to the Free Church of Scotland and laid their position before that body, but for three years received no reply. In 1849, however, Rev.

John Bonar, the convener of the colonial committee of the Free Church of Scotland, wrote that he had not succeeded in finding a suitable minister, several to whom he had applied having declined to go, but the hope was expressed that one would be found.

The Scotch settlers, or their representatives, then turned their attention towards gaining possession of the Upper Church and ground, which they held properly belonged to them under the gift of Lord Selkirk. This necessitated a good deal of correspondence with the company's officials, and the clergy of the Church of England, who then occupied the property in dispute. At last, in October, 1850, a compromise was effected, by which the Scotch gave up their claim to the Upper Church, receiving, in return, a deed of Frog Plain a few miles farther down the river, for the purposes of sites for church, church-yard, school-house, and glebe, and a grant of £150 towards the erection of a suitable building.

While these negotiations were going on, the case of the Scotch settlers had been transferred from Scotland to the Presbyterian Church of Canada, where the matter was taken up with some spirit, and the indications were that a minister for Red River would soon be procured. The settlers then held a meeting, and, as a result of it, a manse was at once erected at Frog Plain in anticipation of the arrival of the expected clergyman, but for some reason his coming was delayed, and it was not until the 19th September, 1851, that the Rev. John Black was welcomed into the settlement as the first Presbyterian minister to the long neglected Scotch of Red River.

And now, in order to show the interest that was awakening in church circles respecting the missions in the North-West we will refer to the visit of the Bishop of Montreal in 1844

His Lordship had cherished for some years the hope of making a journey through the Hudson's Bay territories, but matters connected with his diocese and long illness prevented him, until May of the year above mentioned.

Leaving Lachine on the 16th May, in a large canoe manned by eight French Canadians, and Six Iroquois Indians, he ascended the Ottawa to where the Mattawan joins it. He then passed from this through La Petite Rivière, and some small lakes traversing the high lands, until he reached Lake Nipissing, and having crossed it descended the whole length of French River into Lake Huron. Coasting up the northern shore of this lake, for 190 miles, he came to Sault Ste. Marie, and, crossing over, passed into Lake Superior and along the northern shore until Fort William was reached. Here the large canoe was exchanged for two smaller ones, and the journey by rivers, lakes, and portages made, until Lake Winnipeg was reached and the Red River entered.

In his journal, which he published after his return to Montreal, he thus writes of his treatment at the company's posts. "I carried," he says, "a letter from Sir George Simpson to be presented at every post where I should stop : but the kindness and attention which we everywhere experienced at the hands of the company's servants were marked by an *empressement*, which showed them to proceed from spontaneous feeling, and gave the better zest to those comforts and refreshments demanded by the body, which were tendered in a manner and under circumstances stamping them with a resemblance to the exercise of primitive hospitality towards the way-worn stranger."

The Bishop arrived at the Indian Settlement on Sunday, 23rd June, 1844, and thus speaks of the scene which met his

eyes: "There on the morning of the Lord's own blessed day, we saw them (the Indians) gathering already around their pastor, who was before his door: their children collecting in the same manner, with their books in their hands, all decently clothed from head to foot. Around were their humble dwellings, with the commencement of farms, and cattle grazing in the meadow; the neat modest parsonage or mission house, with its garden attached to it, and the simple but decent church with the school house as its appendage, etc., etc."

During his stay at Red River, the Bishop ordained as priest Rev. Abraham Cowley, and as deacon and priest, Rev. John McAllum, besides holding several confirmations at the different churches, and it may be interesting at this time to note his description of the four English Churches in the settlement, as they appeared then. "The Indian Church," he says, "is a wooden building, painted white, fifty feet or upwards in length, with a cupola over the entrance. It has square-topped windows, which, so far, give it an unecclesiastical appearance. The Lower Church is also of wood, and of the length of fifty feet. The Middle Church, which is not quite completed, and which has been built by the unaided exertions of the congregation, is an edifice of stone, sixty feet long. The Upper Church, which is also of stone, is ten feet longer, and will accommodate 500 persons. About 400 upon one occasion, met me there." The Bishop also describes a boarding-school at the upper church, which was being conducted by Rev. Mr. McAllum on his own account, with the help of an allowance from the company, where children of the Hudson's Bay officers and others were educated, and he gives some very interesting particulars in regard to the population, etc., of the settlement.

The whole population of the Red River Colony, according to his statement, was 5,143, of which number 2,798 were Roman Catholics, and 2,345 Protestants. The heads of families were 370, of whom 571 were Indians or half-breeds, 152 Canadians, 61 Orkneymen, 49 Scotchmen, 22 Englishmen, and 2 Swiss, Wales, Italy, Norway, Denmark, Germany, Poland and the United States, each contributed one to the list. There were 730 dwellings, 1,219 barns or stables, 18 windmills and one water-mill, 821 horses, 749 mares, 107 bulls, 2,207 cows, 1,580 calves, 1,976 pigs, and 3,599 sheep. These particulars were from a census taken in March, 1843.

The Bishop, after a pleasant visit, during which he did much to aid and encourage the missionary work, left the Indian settlement on the 10th July, and arrived at Lachine on the 14th August, having been absent about three months.

In 1840, Mr. Henry Budd (afterwards ordained as a priest), the boy whom Rev. Mr. West baptized in 1822, was sent to Cumberland House as a catechist, and met with so much success that Rev. John Hunter was appointed to take charge of the mission. We have already referred to the station established at Manitoba Lake, and in addition to this, a mission was organized at Fort Ellice, and thus matters stood with the Church of England about the time when the Bishopric in Rupert's Land was formed.

In 1838, Mr. James Leith, a chief factor in the Hudson's Bay Company's service, bequeathed a sum of about £12,000 to be expended for the benefit of Indian missions in Rupert's Land, but on his death his family disputed the bequest with the executors, which resulted in a process of litigation. This was closed in 1849, by the Master of the Rolls, Lord Langdale, the decision being favorable to the missions, on the understand-

ing that the Hudson's Bay Company should donate the sum of £300 annually to be set apart for the purpose of endowing a bishopric in Rupert's Land, which, added to the interests of the £12,000, rendered the income of the see about £700. This arrangement was carried out by order in Chancery, and in 1849 the Diocese of Rupert's Land was established by Letters Patent under the Great Seal, and in the same year Rev. David Anderson, who was at one time tutor of St. Bee's Theological College, Cumberland, was consecrated Bishop of Rupert's Land, in the Cathedral of Canterbury. He arrived in the settlement during the autumn of 1849, and established his head-quarters at the Upper Church, which he named the Cathedral of St. John.

Previous to this, the Bishop of Juliopolis had erected a cathedral, and a house attached to it, used as a residence for himself and his priests. The cathedral is said to have looked remarkably well when seen from a distance, its two spires, one hundred feet high, towering high over the prairie, and its chime of bells, of singular melody, being heard a long distance off.

There were several changes made in the location of the different clergymen of the Church of England, after the Bishop's arrival, and we cannot better close this chapter than by noting the number of Church of England clergymen in the North-West about the year 1857. There were then nineteen clergymen, exclusive of the Bishop, fifteen of whom were furnished and paid by the Church Missionary Society, two by the Society for the Propagation of the Gospel, one by the Colonial Church Society, and one was chaplain to the Hudson's Bay Company.



CHAPTER XVIII.

VOYAGEURS, FREIGHTERS, HUNTERS, AND TRAPPERS.

HARMON, in his journal of voyages and travels in the interior of North America, in 1819, thus describes the character of the voyageur.

“Like their ancestors the French, the Canadian voyageurs possess lively and fickle dispositions, and they are rarely subject to depression of spirits of long continuance, even when in circumstances the most adverse. Although what they consider good eating and drinking constitutes their chief good, yet, when necessity compels them to it, they submit to great privation and hardship, not only without complaining, but even with cheerfulness and gaiety. They are very talkative, and extremely thoughtless, and make many resolutions which are broken almost as soon as formed. They never think of providing for future wants, and seldom lay up any part of their earnings to serve them in a day of sickness, or in the decline of life. Trifling provocations will often throw them into a rage, but they are easily appeased when in anger, and they never harbor a revengeful purpose against those by whom they conceive that they have been injured. They are not brave, but when they apprehend little danger, they will often, as they say, play the man. They are very deceitful, are exceedingly smooth and polite, and are even gross flatterers to the face of a person, whom they will basely slander, behind his back.

"They pay little regard to veracity or to honesty. Their word is not to be trusted, and they are much addicted to pilfering, and will even steal articles of considerable value, when a favorable opportunity offers. A secret, they cannot keep. They rarely feel gratitude, though they are often generous. They are obedient, but not faithful servants. By flattering their vanity, of which they have not a little, they may be persuaded to undertake the most difficult enterprises, provided their lives are not endangered. Although they are generally unable to read, yet they acquire considerable knowledge of human nature, and some general information in regard to the state of the country. As they leave Canada while they are young, they have but little knowledge of the principles of the religion which their priests profess to follow, and before they have been long in the Indian country, they pay little more attention to the Sabbath, or the worship of God, or any other divine institution, than the savages themselves."

Such is a description of the men who manned the canoes of the fur companies, and underwent the greatest hardships and privations during the long and arduous journeys they undertook for their masters. The picture may be overdrawn, but from all we can learn they were a reckless, and at times a dissipated lot of men, ready for the most onerous duties when required of them, and, when not engaged in tripping, idle, wasteful and dissolute. According to Sir George Simpson, there were 500 of them in the employ of the Hudson's Bay Company annually during his time, but of these many were Indians engaged merely for a trip in summer, and a number of those lived at the Indian settlement, where Mr. Cochran established a mission.

In the early days, canoes, some of them being very large

and strong, were used, but these gradually gave way to boats, which were worked by nine men, eight of whom were rowers and the other the steersman. Brigades composed of from four to eight of these craft, were kept constantly going during the summer between the various posts, carrying supplies and bringing back the bales of furs collected during the season. When a strong rapid was encountered in river travelling, the boats were unloaded, and, along with their freight, were carried overland, sometimes a considerable distance, so that the work was often very severe. If the rapids were not sufficiently formidable to render a portage necessary, the crew, going ashore, would pull the vessels along by means of lines. On the lakes, the men rowed, unless the wind was favorable, when a large square sail was hoisted, and they, for the time being, were free from toil, but this only happened occasionally during a long trip.

The goods carried in the boats were usually done up in bales, each weighing about a hundred pounds, and as there were generally from seventy to eighty of these in a boat, the task of portaging them was not an easy one.

This, however, at one time, was the principal mode of freighting the supplies and furs which the Hudson's Bay Company had, and sometimes when the voyageurs mutinied and refused to carry the goods, it entailed heavy losses. The custom was to make advances to the men during their period of idleness, and as they generally spent a large portion of the money in drink and dissipation, when they came to start upon a trip, they were in a state of destitution. They would then frequently make unreasonable demands, and, if not complied with, would strike and refuse to carry out the contract they had entered into. The voyageur of the boat was as reckless,

improvident and unreliable, as the voyageur of the canoe in the early days.

The company latterly transported much of their supplies by ox-cart over the plains, and the calling of the voyageur became of less importance to the fur trade. The carts used were constructed entirely of wood without any iron whatever, the axles and rims of the wheels forming no exception. If a break occurred, it was mended by means of a strip of dried buffalo hide being soaked in water and wound round the injured part, and as this dried, it contracted and hardened, thus binding the break firmly, and making the cart as strong as ever. Each cart was drawn by one ox or an Indian horse, the weight of the load carried being from 900 to 1,200 lbs., and the common rate of progress, about twenty miles a day. The number of carts in a train varied, sometimes amounting to several hundreds, and in that case it was divided into brigades of ten carts each, strung out in single file along the prairie. To each three carts there was one man, and the whole train had a supply of spare animals, varying in number according to the state of the tracks, in case of accident, or the giving out through fatigue, of oxen or horses, an event that frequently happened on a long trip. The rate of freight paid by the company from St. Paul's, Minnesota, to which place the freighting carts went in large numbers, was from sixteen to eighteen shillings per 100 lbs., but a large proportion of this was paid in goods, at Fort Garry prices, which reduced the actual cost of freight very considerably. Advances were made to the freighters during the winter, to be applied on their spring and summer work on the same plan as carried out with the voyageurs, but in the case of the former, the money was generally spent in support of their families, while

740 guns cost	- - - - -	£1,480	0s.	0d.
150 gallons gunpowder cost	- - -	120	0	0
1,300 pounds trading balls cost	- - -	65	0	0
6,240 gun flints cost	- - - - -	13	0	0
100 steel daggers "	- - - - -	15	0	0
100 couteaux de chasse cost	- - -	15	0	0
403 buffalo runners (horses) cost	- -	6,045	0	0
655 cart horses cost	- - - - -	5,240	0	0
586 draught oxen cost	- - - - -	3,516	0	0
1,210 sets of harness "	- - - - -	484	0	0
403 riding saddles "	- - - - -	161	4	0
403 bridles and whips cost	- - -	201	10	0
1,240 scalping knives "	- - -	31	0	0
448 half axes cost	- - - - -	56	0	0
Camp equipage, tents, culinary utensils, etc., cost	- - - - -	1,059	16	0
		<hr/>		
		£24,000 0 0		

or in the neighborhood of \$120,000, one half at least of which being advanced to the hunters on credit.

The parties belonging to the summer hunt generally start from the settlement in June, and returned about the beginning of August, with their stock of pemmican and dried meat. The fall hunters left during August and remained away till the end of October or early in November, many of them, however, remaining on the plains all winter to hunt the buffalo for the robes, which they brought into the settlement for sale in the following spring. There were generally two parties, one of which proceeded in search of the buffalo in a southerly and the other in a south-westerly direction, each party, however, acting independently of each other. The custom of the

nters was to leave the settlement in small bodies as soon as air arrangements for the trip were completed, and at a given ot on the plains all would assemble for the purpose of forming camp.

When all were assembled, the roll was called, a council of e principal men held, and a chief and staff officers selected. ere were captains and guides appointed, the latter being the andard-bearers of the party, and the hoisting of the flag as the signal each morning for a start to be made, and when was taken down it signified an order to encamp.

Thus they travelled on, day after day, under a regular stemized plan, until the haunt of the buffalo was reached, nd not only were they under command of competent men oosen from amongst themselves, but they framed laws which ad to be observed by all. Of these latter, the following will rve as an example :

1. No buffalo to be run on the Sabbath day.
2. No party to fork off, lag behind, or go before without permission.
3. No person or party to run buffalo before the general order.
4. Every captain, with his men, in turn to patrol the camp, and keep guard.
5. For the first trespass against these laws, the offender to have his saddle and bridle cut up.
6. For the second offence, the coat to be taken off the offender's back, and be cut up.
7. For the third offence, the offender to be flogged.
8. Any person convicted of theft, even to the value of a sinew, to be brought to the middle of the camp, and the

crier to call out his or her name three times, adding the word "Thief" at each time.

Honesty was proverbial amongst the half-breeds of the plains, and the punishment in clause 8 was the worst form in which it could be administered, as the disgrace of being considered a thief was taken much to heart by the very worst of them.

The formation of the camp was circular, all the carts being placed side by side, the teams outward, and within this line the tents were placed in double and treble rows, the animals being kept within this circle of barricades in time of danger, but when none was apprehended the horses and oxen grazed on the outside.

The proceeds of the hunt were pemmican, dried meat, sinews, tongues, robes and skins. The pemmican we have already described in chapter eight. The dried meat was simply the flesh of the buffalo cut into strips and dried in the sun, the robes were the winter skins, when the fur was thick, tanned by a process familiar to the hunters, and the skins consisted of the hide of the animal divested of hair, and tanned into soft leather, from which moccasins and clothing were made.

When the hunters entered the country in the neighborhood of which the buffalo were known to be, no gun was permitted to be fired until in sight of the herd, and the word of command was spoken by the captain. At the word Ho! the horsemen would start in a body, loading and firing on horse-back, and leaving the dead animals to be identified after the run was over. The hunters would enter the chase with their mouths full of bullets, and, when loading, the powder was poured into the barrel of the gun from the hand, a bullet

opped from the mouth into the muzzle, and almost before the ball had time to reach the powder the piece would be fired, without putting it to the shoulder. In this way guns frequently exploded, and it was no uncommon thing to see a hunter without a thumb or some of the fingers, as a result of his carelessness.

These hunts were participated in by so many, and the slaughter was so great, that a serious decrease in the number of buffalo took place, which threatened the transport business of the country, pemmican and dried meat being the staple articles of food used by the freighters. The Indians, too, were most wasteful, and killed the buffalo often out of pure idleness, when the carcasses would be left to rot on the plain, thousands of animals being sacrificed each year in this way, so that it is no wonder that to-day the buffalo is almost extinct.

About the year 1834, private individuals began importing goods from England on their own account, and for their own use, and gradually the system extended, until they who commenced importing for themselves soon enlarged the field of enterprise, and sent for goods on speculation. This for a time was countenanced by the Hudson's Bay Company, until agitation against exclusive trade in furs began, when they placed obstacles in the way of it, especially as the petty traders had taken part with the agitation. But this did not destroy the trade, for the petty merchants, being not altogether dependent on the English market, received a large portion of their supplies from the United States. Up to the time of the demonstration in favor of Sayer, in 1849, these petty traders confined themselves to buying and selling ordinary merchandise, the traffic in furs being forbidden, although undoubtedly

they did a good deal in a quiet way in the trading and smuggling of peltries. After 1849, however, they became bolder in this respect, and gradually came to deal openly in furs, until they finally threw off all restraint, and openly outfitted men, and sent them into the interior to traffic with the Indians. The company, then, instead of endeavoring to punish them, entered with all the force of wealth and superior advantages into keen competition with them, in the hope of being able to crush them in that way.



CHAPTER XIX.

CANADIAN CLAIMS AND THE COMMITTEE OF 1857.

IN July, 1849, the British House of Commons passed an Address to the Crown, praying that an enquiry might be made into the legality of the powers claimed by the Hudson's Bay Company, in respect of territory, trade, taxation, and government. Earl Grey, accordingly, communicated with the company on the 23rd August, asking for a statement of the rights to which they considered themselves entitled, and the extent to which they were exercised. The directors complied with this request, and, in September, forwarded a carefully-prepared document, in which they set forth their various claims very fully, giving the authority in each case. The several acts recognizing the claims of the company were quoted at length, and in regard to taxation and government, the statement submitted by them declared that, under their charter, they were invested with power to make, ordain, and constitute necessary laws, and to levy fines, taxes, etc., and that it further provided, "that all lands, islands, territories, plantations, forts, fortifications, factories, or colonies, where the company's factories and trade were, should be immediately under the power and command of the Governor and company, their successors and assigns, and the said Governor and company were empowered to appoint and establish governors, and all their officers to govern them." In pursuance of this authority, it was claimed

that the company invariably exercised all the powers of government necessary for the administration of justice, and appointed proper officers, who acted judiciously. It was also claimed that no exact system of taxation had been exercised, the whole expenses of the government of their territories having been defrayed without the aid of any contributions from others.

This statement was submitted, in 1850, to Sir John Jervis and Sir John Romilly, the law officers of the crown, to examine and report upon it, and they expressed the opinion that the rights claimed by the company properly belonged to them, adding that, for a more formal argument and decision of the questions at issue, the best tribunal would be the Judicial Committee of the Privy Council.

Earl Grey then wrote to Mr. A. R. Isbister and the parties who had presented the petition against the company, in 1847, upon which chiefly the Address to the Crown had been based, asking whether they would appear as complainants against the company in order to test the case, but this they declined to take the responsibility of doing, and so the matter ended in 1850.

In 1857, with reference to a despatch from Canada, laying claim to much country claimed by the company, the Crown lawyers (Sir Richard Bethell and Sir Henry Keating) gave an elaborate opinion, in the course of which they stated that—
“The charter could not be considered apart from its existence for nearly two centuries, and nothing could be more unjust than to try this charter as a thing of yesterday.” They held that the Crown could not with justice question the validity of the charter, nor the company's territorial ownership of the land granted to it; but, subject to certain qualifications, they

ought that exclusive rights of government or monopoly of trade could not be insisted on by the company as having been granted by the Crown, although it did possess limited powers of passing ordinances and exercising civil and criminal jurisdiction. With regard to the geographical extent of the company's territory, the Crown lawyers recommended that it might properly, and with advantage, be subjected to judicial inquiry, which might best be effected (with the consent of both Canada and the company) through the Judicial Committee of the Privy Council.

A Select Committee of the House of Commons was then ordered in the following words: "To consider the state of those British possessions in North America which are under the administration of the Hudson's Bay Company, or over which they possess a License of Trade." The first session of this committee began to take evidence on the 20th February, 1857, and the nineteen members composing it were as follows: the Right Hon. Henry Labouchere, Sir John Pakington, Lord John Russell, Mr. Gladstone, Lord Stanley, Mr. Roebuck, Mr. Edward Ellice, Mr. Adderley, Mr. Lowe, Viscount Sandon, Messrs. Grogan, Kinnaird, Gregson, Blackburn, Charles Fitziam, Gordon, Gurney, Percy Herbert, and Bell.

This committee sat until the 9th March, and on 12th and 13th May. Its composition was somewhat changed for the second session, Messrs. Gordon, Bell and Adderley retiring,

Mr. Alexander Matheson, Viscount Goderich, and Mr. Justice taking their places.

The investigation and examination of witnesses ended on the 23rd June, and during the two sessions of the committee a mass of valuable evidence was taken respecting the North-west from witnesses of the highest standing. The gentlemen

examined were Mr. John Ross, Lieut.-Col. Lefroy, Dr. Rae, Sir George Simpson, Mr. William Kernaghan, Hon. Charles William Wentworth Fitzwilliam, Mr. Alexander Isbister, Rev. G. O. Corbett, Sir John Richardson, Colonel Crofton, Rear-Admiral Sir George Back, Mr. James Cooper, Chief Justice Draper, Bishop Anderson, Mr. Joseph Maynard, Mr. Alfred Robert Roche, Captain David Herd, Mr. John Miles, Mr. John McLaughlin, Mr. Richard Blanshard, Lieut.-Col. Caldwell, Dr. King, Mr. James Tennant, and Right Hon. Edward Ellice.

We have given the names of the witnesses in order to show that the testimony taken before the committee came from the very best sources of information obtainable, and the personnel of the committee is sufficient guarantee that the evidence was well weighed before the final report was passed.

Before giving that report, however, we will refer to the action taken by Canada previous to and during the time when the committee sat. It seems that in reply to their despatch, the Secretary of State for the Colonies had sent word to the Canadian authorities that it was the intention of Her Majesty's Government to propose to the House of Commons to appoint the committee already referred to, and on learning this they selected Chief Justice Draper, and sent him to England to watch the investigation which was about to take place. As it is of some importance to know the position taken by Canada at this time, we will give in full a petition presented by the Board of Trade of the city of Toronto to the Legislative Council of Canada, on the 20th April, 1857, which fairly represents the sentiments of the Canadian public on North-West matters at that period.

The petition was as follows :

"That an association of traders, under the title of the "Honorable Hudson's Bay Company," during a long period of time, have claimed and exercised a sovereignty in the soil, together with the right of exclusive trade over a large portion of the province of Canada, and that the exercise of such claim is subversive of all those rights and privileges which were guaranteed to the inhabitants of Canada by Royal proclamation immediately after the conquest of the country, and subsequently secured to them by those Acts of the British Parliament which gave to Canada a constitutional government.

"Your petitioners further show that up to the year 1763, when, by the treaty of Fontainebleau, Canada was ceded to the British Crown, the whole region of country, extending westward to the Pacific Ocean, and northward to the shore of the Hudson's Bay, had continued in the undisputed possession of the Crown of France for a period of two centuries, and was known as La Nouvelle France, or Canada ;

"That during the half century succeeding the treaty above alluded to, extensive trade and traffic was continued to be carried on throughout the country, described by commercial companies and traders, who had established themselves there under authority of the Crown of France, and at a trade was likewise, and at the same period, carried on by other traders of British origin, who had entered into that country and formed establishments there consequent upon its cession to the British Crown ;

"That such trade and traffic was carried on freely and independent of any restrictions upon commercial freedom, either as originally enacted by the Crown of France, or promulgated by that of Great Britain ;

"That in 1783, nearly all the aforesaid traders and companies united and formed an association, under the name of the "North-West Company Montreal," which said company made many important discoveries, and extended their establishments throughout the interior of North America, and to within the Arctic circle and to the Pacific Ocean ;

"That in the year 1821, the said North-West Company united with the so-called Hudson's Bay Company a company to all intents and purposes foreign to the interests of Canada, and owing no responsibility to her.

"That under the name of the Honorable Hudson's Bay Company, they advance claims, and assume rights in virtue of an old charter of Charles granted in 1669, (the year given here is wrong, should be 1670), that bearing a date nearly 100 years before that this country had ceased to be in appendage to the Crown of France, it pertained to that of Great Britain ;

"That under such pretended authority said Hudson's Bay Company assume a power to grant away, and sell the lands of the Crown, acquired by conquest, and ceded to it by the Treaty of 1673 ;

"That said company have also assumed the power to enact tariffs, collect customs dues, and levy taxes against British subjects, and have enforced unjust and arbitrary laws, in defiance of every principle of right and justice.

"Your petitioners more especially pray the attention of your Honorable House to that region of country, designated as the Chartered Territory, over which said company exercises a sovereignty in the soil as well as a monopoly in the trade, and, which said company claims as a right that inures to them *in perpetuo*, in contradistinction to that portion of country over which they claim an exclusive right of trade, but for a limited period only.

"Whilst your petitioners believe that this latter claim is founded upon a legal right, they humbly submit that a renewal of such license of exclusive trade is injurious to the interests of the country so monopolized and a contravention of the rights of the inhabitants of Canada.

"Your petitioners therefore humbly pray that your Honorable House will take into consideration the subject of how far the assumption of power on the part of the Hudson's Bay Company interferes with Canadian rights, and as to the necessity of more particularly declaring the boundaries of Canada on the westward, and on the northward, and of extending throughout the protection of Canadian laws, and the benefits of Canadian institutions.

"And your petitioners, as in duty bound, will ever pray.

"(Signed) THOMAS CLARKSON, *President*.

"CHARLES ROBERTSON, *Secretary*."

The instructions given to Chief Justice Draper, were as follow :—

SECRETARY'S OFFICE, TORONTO,

20th February, 1857.

SIR—I have the honor, by command of His Excellency the Governor-General, to communicate to you, hereby, his Excellency's instructions for your guidance, in connection with your mission to England, as the special agent, appointed to represent Canadian rights and interests, before the proposed Committee of the House of Commons, on the subject of the Hudson's Bay Territory

I am to premise, however, that as it is impossible to anticipate the nature of the evidence that may be taken, or the conclusion that may be arrived at by the Committee, or the course which Parliament or Her Majesty's Government may think proper to adopt on the report of the committee, it is not in his Excellency's power to convey to you at present, any instructions of a precise or definite character.

His Excellency has, however, entire confidence in your knowledge and discretion, and he has the more readily intrusted this important mission to you, inasmuch as your high position in the colony removes you from the ordinary influences of local or party consideration.

Immediately on your arrival in London, you will place yourself in communication with the Right Honorable the Secretary of State for the Colonies (to whom these instructions have been communicated), and as soon as any parliamentary committee, on the subject of the Hudson's Bay Company or territory is constituted, you will take steps for offering to afford all information in your power relating to the interest or claims of Canada.

You will consider it as a part of your duty to watch over those interests by correcting any erroneous impressions, and by bringing forward any claims of a legal or equitable kind, which this province may possess, on account of its territorial position or past history.

You will not consider yourself as authorized to conclude any negotiation, or to assent to any definite plan of settlement affecting Canada, without reporting the particulars of the same, and your own views thereon to His Excellency in Council.

His Excellency has full and complete confidence in the justice and consideration of Her Majesty's Government, and he is sure that the interests and feelings of Canada will be consulted so far as is consistent with right and justice. The people of Canada desire nothing more.

His Excellency feels it particularly necessary that the importance of securing the North West territory against the sudden and unauthorized influx of immigration from the United States should be strongly pressed.

He fears that the continued vacancy of this great tract, with a boundary unmarked on the soil itself, may lead to future loss and injury both to the United Kingdom and Canada. He wishes you to urge the expediency of marking the limits, and so protecting the frontier of the lands above Lake Superior, about the Red River, and from thence to the Pacific, as effectually to secure them against violent seizure, or irregular settlement, until the advancing tide of emigrants from Canada and the United Kingdom may fairly flow into them, and occupy them as subjects of the Queen, on behalf of the British Empire.

With these objects in view, it is especially important that Her Majesty's Government should guard against any renewal of a license of occupation (should such be determined on), or any recognition of rights by the Company, by such stipulations as will cause such license, or such rights, not to interfere with the fair and legitimate occupation of tracts adapted for settlement.

It is unnecessary, of course, to urge in any way the future importance of Vancouver's Island as the key to all British North America on the side

of the Pacific, situated as it is between the extensive seaboard of Russian America, and the vast territory in the hands of the United States.

His Excellency cannot foresee the course which a committee of the House of Commons may see fit to pursue in the proposed enquiry, or determine beforehand on what points evidence may be required.

At any moment, however, his Excellency will be ready to attend to your suggestions, and supply such information, either by documentary evidence, or by witnesses from Canada, as you may think necessary, and he may be able to send over.

You will, of course, act upon such further instructions as may from time to time be conveyed to you by his Excellency's directions.

I have, etc..

(Signed) E. A. MEREDITH,
Assistant Secretary.

Hon. W. H. Draper had been ten years on the bench of Upper Canada, during one year of which he had filled the office of Chief Justice. In 1836, he was a member of the Executive Council of the province, being appointed the year following, Solicitor-General, and in 1840 he became Attorney-General, a position which he held until in 1842 he was elevated to the bench. He was therefore highly qualified to act as Canada's representative, and the evidence which he gave before the committee showed marked ability. According to his statement, the enquiry instituted by the British House of Commons particularly affected the interests of Canada from three points of view. First, very materially with regard to the true boundary of Canada. Secondly, with regard to the deep interest which the people of Canada had that the territory under question should be maintained as a British possession, and thirdly, because the people of Canada looked to it as a country into which they ought to be permitted to extend their settlements. He admitted, however, that so long as there was no proper means of communication between the province and the Hudson's Bay territory, Canada would not

be in a position to take over the latter. He suggested, therefore, that the intervening country be first settled upon, and that in the meantime an *ad interim* provision be made for the government of the North-West. He expressed the opinion, too, that Canada would be willing to undertake the work of surveys and establishing communication on the understanding that the territory would be eventually transferred under its jurisdiction. He was not in favor of disturbing the Hudson's Bay Company in the possession of their forts and trade. Here are his exact words: "My own opinion is, that for the purpose of preserving peace among the Indians, and preventing difficulties arising, it is of great importance, for some time at all events (I should say a limited time), that the Hudson's Bay Company should maintain those stations, and that trade which they have hitherto carried on, which have kept the Indians at peace. . . . I should not be speaking candidly or fairly to the committee if I did not say that I think a very large portion of those (in Canada) who are most prominent in the movement, are so from a desire to share in the commercial profits of the fur trade; I think that that is unquestionable; but I think there is another portion of them, and a very considerable portion, too, who look to future consequence more than to that question. . . . Looking upon the determination of Canada as a contingent determination, to depend upon the result of survey and exploration, I should suggest that while that state of things, namely, the contingency on the one side exists, on the other side, the exclusive right of trade should exist also; in this spirit the Imperial Government gave to the Hudson's Bay Company the power of settling Vancouver's Island for a limited period, and it is in the nature, I presume, of an experiment. I would ask, on the part of Can-

ada, to have at least the same privilege as was given to the Hudson's Bay Company to settle this country, and in the meantime I think there would be no reasonable ground to object to the Hudson's Bay Company, during the same time, having the exclusive right to trade as I have suggested it; if Canada can do nothing with that country, then it is for another authority to dispose of the whole question."

But Chief Justice Draper had a firm belief that Canada could do something with the country in the way of development, and in proof of this we quote the following remarkable words spoken by him before the committee: "I hope," he said, "you will not laugh at me as very visionary, but I hope to see the time, or that my children may see the time, when there is a railway going all across that country and ending at the Pacific: and so far as individual opinion goes, I entertain no doubt that the time will arrive when that will be accomplished." Twenty-eight years after these words were uttered, the last spike of the Canadian Pacific Railway was driven by Sir Donald A. Smith, thus completing a track laid from ocean to ocean.

While the committee was sitting in London, the Provincial House of Parliament was in session in Canada, and a committee of that House, composed of Hon. Messrs. Terrill (chairman), Robinson, Cauchon, Brown, and Solicitor-General Smith, was appointed to take evidence with the view of ascertaining whether all the representations which had been made as to the impossibility of approaching the North-West, and as to the comparatively small quantity of fertile soil capable of supporting an agricultural population, were well founded or not. The witnesses examined were, Allan, MacDonell, George Galman, and William MacD. Dawson, and their testimony,

which was rather unfavorable to the Hudson's Bay Company, was sent home for the consideration of the committee in England.

The voluminous evidence collected by the committee of the British House of Commons embraced every subject of any importance relating to the North-West, the fur trade, and the administration of the Hudson's Bay Company, and the report of this testimony, with the various documents pertaining to it, is one of the most valuable publications on the subject ever issued. The space at our command forbids dealing with its contents as we would have liked to do, but there is one point which mention should be made.

The question of the boundary between Canada and the Hudson's Bay territory was an important one, and, in submitting a memorandum which he had prepared on the subject, Chief Justice Draper thus alludes to it: "As the construction of the language of the charter, and the extent of the territory purporting to be granted, are involved, it may be considered desirable that the matter should be referred to the Judicial Committee of the Privy Council. In this event, I venture to request, that counsel on the part of the Province may be permitted to attend to watch the argument, and, if it be deemed necessary, that they may be heard in support of those views which more immediately affect the interests of Canada.

"I have suggested a reference to the Judicial Committee, because I think its opinion would command the ready acquiescence of the inhabitants of Canada as to their legal rights, and because I believe they entertain a very strong opinion that a considerable portion of the territory occupied or claimed by the Hudson's Bay Company will be found to lie within the proper limits of the Province.

" Whether it would be desirable to sever this from the more general question of the legality and validity of the charter, is a matter I should desire to leave for your consideration, but in any event I think it expedient that counsel should be permitted to attend, to watch the interests of the Province."

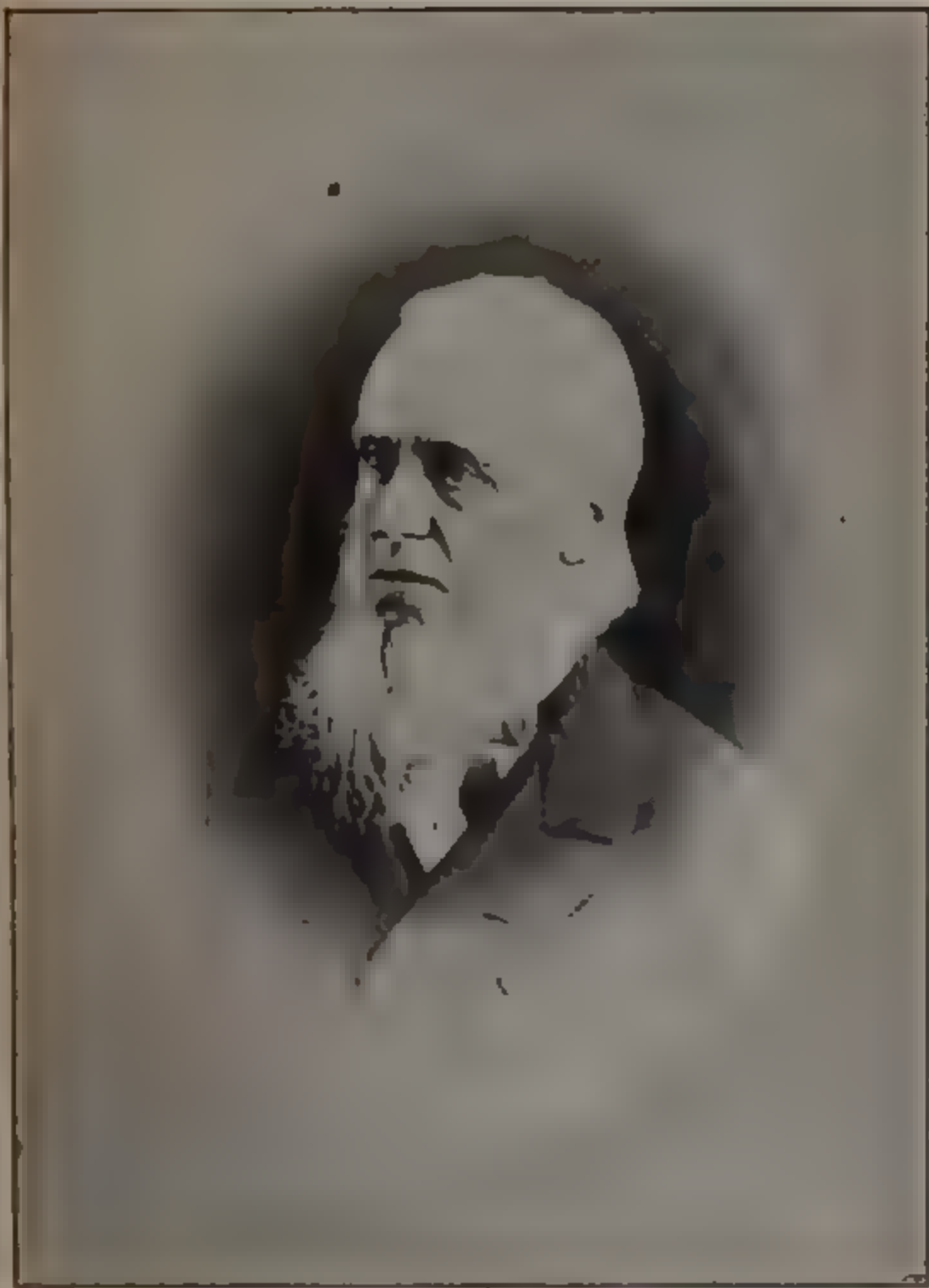
The memorandum prepared by Chief Justice Draper concludes as follows: " Enough, it is hoped, has been stated to shew that the limits of the Hudson's Bay Company's territory are as open to question now as they have ever been, and that when called upon to define them, in the last century, they did not advance the claim now set up by them : and that even when they were defining the boundary which they desired to obtain, under the Treaty of Utrecht, at a period most favorable to them, they designated one inconsistent with their present pretensions, and which, if it had been accepted by France, would have left no trifling portion of the territory as part of the Province of Canada.

" So far as has been ascertained, the claim to all the country the waters of which ran into Hudson's Bay, was not advanced until the time that the company took the opinions of the late Sir Samuel Romilly, Messrs. Cruise, Holyroyd, Scarlett and Bell. Without presuming in the slightest degree to question the high authority of the eminent men above-named, it may be observed that Sir Arthur Pigott, Serjeant Spankie, Sir Vicary Gibbs, Mr. Bearcroft, and Mr. (now Lord) Brougham, took a widely different view of the legal validity of the charter, as well as regards the indefinite nature of the territorial grant, as in other important particulars.

" Of the very serious bearing of this question on the interests of Canada, there can be no doubt. By the Act of 1774, the Province of Quebec is to extend westward to the banks of







The Hon. Chief Justice Draper.



the Mississippi, and northward to the southern boundary of the territory granted to the Merchant Adventurers of England trading to Hudson's Bay.'

"And in the division of the Provinces, under statute of 1791, the line was declared to run due north from Lake Temiscamary. 'to the boundary line of Hudson's Bay,' and the Upper Province is declared to consist 'of, or include all that part of Canada lying to the westward and southward of the said line.'

"The union of the Provinces has given to Canada the boundaries which the two separate Provinces of Upper and Lower Canada had; the northern boundary being the territory granted to the Hudson's Bay Company.

"It is now becoming of infinite importance to the Province of Canada to know accurately where that boundary is. Plans for internal communication, connected with schemes for agricultural settlements, and for opening new fields for commercial enterprise, are all, more or less, dependent upon or affected by this question; and it is to Her Majesty's Government alone that the people of Canada can look for a solution of it. The rights of the Hudson's Bay Company, whatever they may be, are derived from the Crown; the Province of Canada has its boundaries assigned by the same authority, and, now that it appears to be indispensable that those boundaries should be settled, and the true limits of Canada ascertained, it is to Her Majesty's Government that the Province appeals to take such steps, as in its wisdom are deemed fitting or necessary, to have this important question set at rest."

On the 31st July, the committee agreed finally upon their report, after Mr. Christy had proposed one of his own, and Mr. Gladstone a set of resolutions. The following is the report as agreed to:—

1. The near approach of the period when the license of exclusive trade, granted in 1838, for 21 years, to the Hudson's Bay Company over that north-western portion of British America, which goes by the name of the Indian Territory, must expire, would alone make it necessary that the condition of the whole of the vast regions which are under the administration of the company should be carefully considered ; but there are other circumstances which, in the opinion of your committee, would have rendered such a course the duty of the Parliament and Government of this country.

2. Among these, your committee would specially enumerate,—the growing desire of our Canadian fellow-subjects that the means of extension and regular settlement should be afforded to them, over a portion of this territory ; the necessity of providing suitably for the administration of the affairs of Vancouver Island, and the present condition of the settlement which has been formed on the Red River.

3. Your committee have received much valuable evidence on these and other subjects connected with the inquiry which has been entrusted to them, and especially have had the advantage of hearing the statements of Chief Justice Draper, who was commissioned by the Government of Canada to watch this inquiry. In addition to this, your committee have received the evidence taken before a committee of the Legislative Assembly, appointed to investigate this subject, containing much valuable information in reference to the interests and feelings of that important colony, which are entitled to the greatest weight on this occasion.

4. Your committee have also had the opinion of the law officers of the Crown communicated to them, on various points connected with the charter of the Hudson's Bay Company.

5. The territory over which the company now exercise rights is of three descriptions :—

1st. The land held by charter, or Rupert's Land.

2nd. The land held by license, or the Indian Territory.

3rd. Vancouver's Island.

6. For the nature of the tenure by which these countries are severally connected with the company, your committee would refer to the evidence they have received and the documents appended to their report.

7. Among the various objects of imperial policy, which it is important to attain, your committee consider that it is essential to meet the just and reasonable wishes of Canada, to be enabled to annex to her territory such portion of the land in her neighborhood as may be available to her for the purposes of settlement, with which lands she is willing to open and maintain communications, and for which she will provide the means of local administration. Your committee apprehend that the districts on

he Red River and the Saskatchewan are among those likely to be desired for early occupation. It is of great importance that the peace and good order of those districts should be effectually secured. Your committee trust that there will be no difficulty in effecting arrangements as between Her Majesty's Government and the Hudson's Bay Company, by which these districts may be ceded to Canada on equitable principles, and within the districts thus annexed to her, the authority of the Hudson's Bay Company would of course entirely cease.

8. Your committee think it best to content themselves with indicating the outlines of such a scheme, leaving it to Her Majesty's Government to consider its details more maturely before the Act of Parliament is prepared, which will probably be necessary to carry it into effect.

9. In case, however, Canada should not be willing, at a very early period, to undertake the government of the Red River District, it may be proper to consider whether some temporary provision for its administration, may not be advisable.

10. Your committee are of opinion that it will be proper to terminate the connection of the Hudson's Bay Company with Vancouver's Island, as soon as it can conveniently be done, as the best means of favoring the development of the great natural advantages of that important colony; means should also be provided for the ultimate extension of the colony over any portion of the adjoining continent, to the west of the Rocky Mountains, on which permanent settlement may be found practicable.

11. As to those extensive regions, whether in Rupert's Land, or in the Indian Territory, in which for the present, at least, there can be no prospect of permanent settlement, to any extent, by the European race, for the purposes of colonization, the opinion at which your committee have arrived is mainly founded on the following considerations: 1st, The great importance to the more peopled portions of British North America that law and order should, as far as possible, be maintained in these territories; 2nd, The fatal effects which they believe would infallibly result to the Indian population from a system of open competition in the fur trade, and the consequent introduction of spirits in a far greater degree than is the case at present; and 3rd, The probability of the indiscriminate destruction of the more valuable fur-bearing animals in the course of a few years.

12. For these reasons, your committee are of opinion that whatever may be the validity, or otherwise, of the rights claimed by the Hudson's Bay Company under the charter, it is desirable that they should continue to enjoy the privilege of exclusive trade, which they now possess, except so far as those privileges are limited by the foregoing recommendations.

13. Your committee have now specified the principal objects which they think it would be desirable to attain. How far the chartered rights

claimed by the Hudson's Bay Company may prove an obstacle to their attainment, they are not able, with any certainty, to say. If this difficulty is to be solved by amicable adjustment, such a course will be best promoted by the Government, after communication with the company, as well as with the Government of Canada, rather than by detailed suggestions emanating from this committee.

14. Your committee cannot doubt but that, when such grave interests are at stake, all the parties concerned will approach the subject in a spirit of conciliation and justice, and they therefore indulge a confident hope that the Government will be enabled, in the next session of Parliament, to present a Bill which shall lay the foundation of any equitable and satisfactory arrangement, in the event, which they consider probable, of legislation being found necessary for that purpose.

31st July, 1857.



CHAPTER XX.

DECLINE OF THE HUDSON'S BAY COMPANY'S AUTHORITY.

THE result of the Sayer trial, and the demonstration of the breeds caused by it, was the temporary removal of Judge from the bench, and, for about a year afterwards, Governor Caldwell acted in his place, but a military officer was a suitable dispenser of the law, and in 1850, Mr. Thom gain called upon to officiate. His first case was about as fortunate in its results as that of Sayer, only on this occasion the dissatisfaction caused by his administration of the law did not rest with the half-breeds, but with the governor and members of the Hudson's Bay Company. The action in question was that of Foss vs. Pelly, brought by an officer of pensioners resident in the settlement, against an officer in the company's service and others, and Governor Caldwell, believing that a miscarriage of justice had been perpetrated, addressed a statement of his views to the board of the company in London.

The result was the permanent removal of Judge Thom from the bench, and his appointment as clerk of the court, which he held until 1854, when he left the settlement and returned to England. Colonel Caldwell presided at the sittings of the court while Mr. Thom acted as clerk, and on the retirement of the latter, Mr. Johnson (afterwards Sir Francis Johnson) became Recorder, a position which he occupied until 1854. From the time of the Foss vs. Pelly trial, down to the

departure of Recorder Johnson, a period of eight years, no events of a startling nature occurred to disturb the equanimity of the court, although violation of the law, so far as it referred to the exclusive privileges of the Hudson's Bay Company, frequently took place. Indeed from the time of the Sayer trial, the company may be said to have almost ceased to enforce its claims in that direction. Recorder Johnson therefore had an easy and pleasant time of it, and after his departure, his office remained vacant till 1862, the duties pertaining to it being performed by Dr. Bunn, the principal medical practitioner in the settlement.

From 1855 till 1857, there were no regular troops at Red River, but in the latter year a company of the Royal Canadian Rifles was stationed at Fort Garry, and remained there until 1861, when they returned to Canada by ship from York Factory, and from that time on no force of soldiers was employed in the settlement during the *régime* of the Hudson's Bay Company.

The report of the committee of 1857 became fairly well known at Red River, and this, combined with the knowledge that the license of the company would soon expire, tended to lessen the influence and authority of the Hudson's Bay Company in the minds of most of the settlers. In May, 1859, the license granted in 1838 terminated, and before its expiration, Sir Edward Bulwer Lytton, who was then Secretary of State for the Colonies, offered to extend it first for a period of one year, and afterwards for two years, both of which were declined by the company, who gave the following reasons for doing so: "That the acceptance on their part of the license for any period of shorter duration than that which had been usually granted since the passing of the Act of 1st and 2nd

Geo. 4th, Cap. 66, would in their opinion only further increase the inconveniences resulting from the state of suspense in which the question had been kept for the last two years. So far from strengthening, it would paralyze, their authority, even within their own territory, from the impression it would create of the approaching termination of that authority."

The Canadian Government, expecting probably that some immediate action would be taken on the line proposed by Chief Justice Draper to the Committee of the House of Commons, with regard to surveys and explorations, fitted out an exploring expedition, under the command of Simon J. Dawson, civil engineer, and Henry Youle Hind, M.A., each of whom had charge of a separate department of the work. Mr. Dawson and his party started from Toronto in July, and surveyed along the western shore of Lake Superior, commencing at Fort William, and during the succeeding winter he carried his operations to the coast of Lake Winnipeg and the Red River, between Fort Alexander and Pembina, making Fort Garry his head-quarters. In the spring he conducted a survey westward to the Saskatchewan, and on his return directed his attention particularly to that portion of the country between Rainy Lake and Lake Superior, completing his labors in 1859. Professor Hind's work was directed to the geological nature of the country, its natural history, general topography, and he was also expected to report upon the character of its soil and vegetation. He made a thorough examination of these in co-operation with the surveying party during the summer of 1857, and returned to Canada in the autumn. In the spring of the following year, however, he renewed his exploratory work, and examined the country along the rivers Assiniboine and Saskatchewan, which occupied until September. Hind's book

relating to these expeditions, which he afterwards published contains a vast amount of valuable information concerning the capabilities of the North-West, and served to draw attention to the country. As an outcome of the Dawson-Hind operations, and also in line with Chief Draper's proposals regarding the opening up of communication, the Canadian Government made an attempt, in 1858, to establish a mail service between Canada and the settlement, but after a two years trial it was abandoned as a failure. Previous to 1853, the postal service consisted only of the packets of the company twice a year, one via York Factory in summer, and the other overland in winter from Canada. In 1853, however, a mail service was organized by the settlers once a month, from Fort Garry to Fort Riley, where it connected with the United States postal system and in 1862, the American Government having arranged a weekly mail to Pembina, the authorities at Red River increased theirs to once a week.

We have already referred to the fact that traders in the settlement carried on business with the United States, which made them independent of the English market, and the route via York Factory. In 1859, the Hudson's Bay Company was induced to try the plan of bringing in supplies by way of St. Paul, and in that year brought in a large consignment of goods over the prairie to Pembina, and thence to Fort Garry, thus establishing, on a firm basis as it were, this means of communication with the settlement. The company were so well satisfied with their experiment in this direction that, in 1860 they placed a small steamer, the *Pioneer*, on the Red River to ply between Fort Abercrombie, in Minnesota, and Fort Garry. The goods were then conveyed by waggon from St. Paul to the point where they were loaded on the boat for transport

the settlement. The original name of the *Pioneer* was the *Anson Northup*, and the little steamer was built on the Red River, although her machinery at one time belonged to a Mississippi boat, and was transported overland from St. Paul. The *Pioneer* gave way, in the spring of 1862, to a larger steamer, the *International*, which the company built at Georgetown, and which was 150 feet long, 30 feet beam, with a tonnage of 133½ tons.

The possession of a large steamer on the Red River, which was run almost entirely for their own use, gave the Hudson's Bay Company an advantage over the free traders, who continued to utilize the cart trail over the prairie.

Events in the march of progress took place rapidly about this time, for in 1859 the first newspaper at Red River made its appearance, and was published once a fortnight. The paper, which was destined to play an important part in opposing the Hudson's Bay Company, was named the *Nor'-Wester*, and was established by Buckingham and Caldwell, two Canadian journalists, who conducted it until 1860, when Mr. James Ross, a writer of no mean attainments, became associated with it, Mr. Buckingham retiring.

In 1852 and 1861, the Red River again overflowed its banks, the settlement being inundated, and the floods were followed in 1857 and 1864 by visitations of grasshoppers, devastating the crops throughout the country as in 1818. But notwithstanding these drawbacks, the settlement prospered each year, the settlers' buildings and farms shewing marked signs of improvement, and in the neighborhood of Fort Garry a few stores and dwellings were erected, where a good deal of trading was carried on with the Indians, half-breeds, and inhabitants generally.

In the meantime, the task of governing the country remained in the hands of the Hudson's Bay Company, the revenues being derived chiefly from customs duties, which were levied at a uniform rate (spirituous liquors excepted) of four per cent. on the net invoice price of the goods. The exceptions to this rule were articles designed for Indian missions, stationery, bar iron, steel, scientific instruments, agricultural implements, seeds, roots, plants, tombstones, grindstones, etc., etc., and there was no export duty. Four stations for the collection of the duties were established at Point Coupée, Upper and Lower Fort Garry, and White Horse Plains, and the Hudson's Bay Company paid duty, as well as the settlers, on all merchandise used by them in the settlement. The duty on spirituous liquors was one shilling sterling per gallon, and once a year, generally in December, the magistrates sat as a board, for the purpose of granting licenses to distil and retail liquor, the limit being any quantity less than five gallons, and the cost of the license ten pounds. Any person convicted of selling without a license was fined ten pounds, and the objection of a majority of his twelve nearest neighbors was fatal to any candidate for a retail license. No liquor was allowed to be sold before six o'clock in the morning and after ten at night, or on Sunday, and selling intoxicants to Indians was prohibited under heavy penalties.

The public expenditure was chiefly for the maintenance of roads and building of bridges, the work being in charge of ten superintendents in different parts of the country, and two surveyors to fix boundaries, survey lots, and arbitrate in cases of dispute relating to land matters.

Laws existed for the prevention of prairie fires, against damages done by cattle wandering at large, for the regulation

hay-cutting, offering premiums for the killing of wolves, relating to debt, the sale of immovable property, and attachment in the case of absconding debtors, etc., etc., etc.

There were petty courts, three in number, established for the hearing of cases of minor importance, such as the recovery of a debt under five pounds, petty offences involving a fine of less than forty shillings, and certain infractions of the liquor law. These courts were held in some cases once a month, and in others only six times a year, and they were presided over by a president and two petty magistrates. There were also justices of the peace appointed in different parts of the country, a coroner and sheriff for the whole settlement, and a constabulary of twelve men, whose duties, however, were of a nominal character, as the work of maintaining order rested chiefly with three special constables. There was also a General Quarterly Court, presided over by the Governor, or a judge appointed for the purpose, and a bench of magistrates to try the more important cases.

This short outline of the progress of the settlement and the institutions established for the regulation of law and order, indicate a more advanced state of affairs among the settlers on the Red River, a greater degree of confidence in themselves, and more independence of feeling. With the expiration of the company's license the question of their exclusive privileges was no longer to be feared, and free trading, in different parts of the country, increased rapidly. The uncertainty of the company's position as a governing power, however, tended to weaken its influence in that respect with the settlers, and there being no force at their command to enforce the laws if necessary, they governed a good deal by moral suasion, and, through the good-will and law-abiding character of a majority

of the people. But this was not a safe position for authorities to be in, especially when intriguers and agitators were at work to overthrow them, and who might, at any time, succeed in exciting public opinion against them.

The officers of the Hudson's Bay Company realized the unsatisfactory position they occupied as rulers, and events, we will relate in a subsequent chapter, soon proved powerless they were, and caused them to openly express their desire to be relieved from the responsibility.



CHAPTER XXI.

NEGOTIATIONS FOR THE TRANSFER OF THE NORTH-WEST TO CANADA.

In 1858, the British Government decided to make Vancouver Island a Crown colony, and, in anticipation of such a decision, the Right Hon. H. Labouchere, Secretary of State in 1856, gave instructions to Governor Douglas to call together an assembly for the purpose of forming the machinery of future administration in that part of Her Majesty's possessions.

In clause 11 of the instructions sent at that time, the following words appear : " An additional reason in favor of the measure which I now prescribe is to be found in the circumstance that the relations of the Hudson's Bay Company with the Crown must necessarily undergo revision before or in the year 1859. The position and future government of Vancouver Island will then unavoidably pass under review, and if any difficulty should be experienced in carrying into execution any present instructions, a convenient opportunity will be afforded for reconsidering them."

On the 30th May, 1859, the Hudson's Bay Company's charter for exclusive trade in British Columbia expired, and on the following 3rd November, Governor Douglas, by instruction from the British Government, proclaimed its revocation, raising it to the position of a Crown colony. Previous to this the home authorities expressed a willingness to renew

the license of the company, so far as it related to the North-West, east of the mountains, for a term of 21 years, at the same time offering to refer the question of the Canadian boundary to the Privy Council, if both parties consented. The Secretary of State, however, refused to allow the validity of the charter to be called in question, during the proposed proceedings, and the Canadian Government thereupon declined the offer, on the ground that Canada should not be expected to compensate the company for any portion of territory under such conditions.

There was about that time a strong feeling in Canada that the whole of the North-West Territory ought to be under Canadian Government, and as early as 1856, Honorable Mr Vankoughnet, then President of the Executive Council of Canada, at a public meeting, declared that he sought a boundary for Canada on the Pacific Ocean, and that no charter could give to a body of men control over half a continent, and that he would not rest until that charter was abolished.

The Hudson's Bay Company at this period appear to have been willing to come to terms for the transfer of a portion of the North-West Territory to Canada, although they held that to do so would likely entail loss upon them, through an increase of expense in conducting their trade. But the Canadian Government insisted upon testing the validity of the charter, as is shown in the following clause, taken from the joint address of the Legislative Council and Assembly, to the Queen, in August, 1858: "That Canada, whose rights stand affected by that charter to which she was not a party, and the validity of which has been questioned for more than a century and a half, has, in our humble opinion, a right to request from your Majesty's Imperial Government, a decision of this ques-

tion, with a view of putting an end to discussions and questions of conflicting rights, prejudicial as well to your Majesty's Imperial Government, as to Canada, and which, while unsettled, must prevent the colonization of the country."

Following this, on the 4th September, a minute of the Executive Council of Canada was transmitted to Sir Edward Bulwer Lytton, the Secretary of State for the Colonies, which drew attention to the importance of opening a direct line of communication, by railway or otherwise, from Canada, through the Red River and Saskatchewan Territories, to Fraser's River and Vancouver Island. About this time, Messrs. Cartier, Ross and Galt, visited England, in connection with the Hudson's Bay Company question, and intimated to Sir Edward Bulwer Lytton that the Canadian Government would undertake the necessary legal proceedings to test the validity of the charter; but when the Secretary of State wrote to the authorities in Canada, on the 22nd Dec., 1858, urging them to take this step, he received a reply from Sir Edmund Head, the Governor-General, dated 19th April, 1859, saying that his Executive Council would not advise steps to be taken for testing the validity of the charter by *scire facias*.

Previous to the receipt of this communication, Sir Edward Bulwer Lytton had written, on the 9th of March, 1859, to the Governor of the Hudson's Bay Company, urging upon him to come to an amicable arrangement with Canada, but, finding that no understanding could be effected between them, he resolved to test the validity of the charter before the Judicial Committee of the Privy Council, without further reference to Canada; but, before this could be accomplished, his party went out of power, and he resigned office.

In 1860 and 1861, a bill was contemplated in England by

the Duke of Newcastle, to facilitate the acquisition from the company, of lands required for settlement, copious minutes being passed on the subject, which entailed a great deal of correspondence between the Government and the Company, but the measure was never actually brought before parliament, because no agreement, satisfactory to both sides, could be arrived at. The principle of the bill appears to have been that the Crown might take, from time to time, such portions of the territory as might be required for colonization purposes, for which the company was to be compensated, but the source from which compensation was to be derived was not stated.

The Canadian Government next addressed a letter to Mr. Dallas, the resident Governor of the Hudson's Bay Company in Montreal, on the 15th April, 1862, expressing an urgent desire to come to some amicable arrangement, by which a road and telegraph line could be constructed through the company's territory, in order to unite Canada with British Columbia, and to open the fertile portions of the territory to settlement.

To this, Mr. Dallas replied as follows:—

While fully admitting the force of the above arguments, and the immediate necessity of some arrangements being come to, I am reluctantly compelled to admit my inability to meet the Government of Canada in this forward movement, for the following reasons:—

The Red River and Saskatchewan Valleys, though not in themselves fur-bearing districts, are the sources from whence the main supplies of winter food are procured for the northern posts, from the produce of the buffalo hunts. A chain of settlements through these valleys would not only deprive the company of the above vital resources, but would indirectly, in many other ways, so interfere with their northern trade as to render it no longer worth prosecuting on an extended scale. It would necessarily be divided into various channels, possibly to the public benefit, but the company could no longer exist on its present footing.

The above reasons, against a partial surrender of our territories, may not appear sufficiently obvious to parties not conversant with the trade, or the country, but my knowledge of both, based on personal experience,

no other sources open to me, point to the conclusion that partial alienations of the districts, which must necessarily be alienated, would only lead to the extinction of the company.

Supposing that the company were willing to sacrifice its trading interests, every act would deprive it of the means to carry out the proposed measures. There is no sort of revenue to meet the most ordinary expenses; and even under present circumstances the company has practically no power to raise one. The cooperation proposed in calling on the company to perform its co-relative duties, pre-supposes it to stand on an equal footing with Canada.

It is not to be supposed that the Crown would grant more extensive powers to the company than those conveyed by the charter. If any change were made it is presumed that direct administration by the Crown would be resorted to as the only measure likely to give public satisfaction. Having anticipated the present question, I am without instructions from the Board of Directors in London for my guidance.

Nevertheless I am, however, safe in stating my conviction that the company will be willing to meet the wishes of the country at large, by concurring in an equitable arrangement for the surrender of all the rights conferred by the charter.

After this, Mr. Edward Watkin, then connected with the Grand Trunk Railway, interested himself in a scheme to establish a telegraph service and means of travelling with regularity between Canada and the Pacific Coast, and a letter on this subject, dated 5th July, 1862, was addressed to the Duke of Newcastle, signed by Thos. Baring, Geo. Carr Glynn, and others. An interview was then arranged by the Duke between the directors of the Hudson's Bay Company and the persons interested in this scheme, the meeting taking place in 1863.

In the meantime, the agitation in favor of opening up the Hudson's Bay Territory continued in Canada, and in September 1862, two members of the Canadian Government, Messrs. John A. Macdonald and Sicotte, were deputed, by order-in council, to proceed to England, and press upon Her Majesty's Government, the great importance of the subject. In the following December, a meeting

of gentlemen interested in the telegraph service to British Columbia already referred to, took place at the banking house of Messrs. Glynn, 67 Lombard Street, London, at which Messrs. Howland and Sicotte, the Canadian delegates, were present. A course of action was then formulated, and at a subsequent meeting on 21st January, 1863, for the purpose of supporting the scheme, Mr. Edward Watkin moved the following resolution: "That this meeting, considering the growing importance of British North America, and the extent of British interests therein involved, is impressed with the desirability of more closely connecting the mother country with her American dependencies, and is of opinion that the completion of a line of communication across the British portion of the continent from the Atlantic to the Pacific is a necessity of the times, and this association pledges its support to a well-devised scheme for accomplishing the object in view."

Shortly after this, Mr. Watkin became associated in a scheme for the purchase of the whole rights of the Hudson's Bay Company, and the result was that the company was reconstructed, and its capital increased to £2,000,000 sterling, the directors under the reconstruction being: The Right Hon. Sir Edmund Head, K.C.B., Curtis Miranda Lampson, Eden Colville, George Lyall, Daniel Meinertshagen, James Stuart Hodgson, John Henry William Schroder, and Richard Potter.

A prospectus was then issued soliciting subscriptions to the new stock, and Mr. Edward Watkin was sent to Canada to negotiate with the Canadian Government for aid in carrying out the colonization, telegraphic, and postal plans of the company across its territory to the Pacific, but apparently he did not meet a favorable reception, as will be seen from the following extract taken from an order-in council passed by the Canadian Government, viz.:

A telegraph line will not accomplish these objects (mentioned in previous clauses of the order), though it may serve an important purpose and aid ultimately to their attainment. But unless the "Atlantic and Pacific Transit and Telegraph Company," (Mr. Watkin's scheme), are prepared to undertake the construction of a road *pari passu* with the telegraph line, the committee cannot in the present condition of the Canadian exchequer, and with the important questions of boundary, territorial jurisdiction and form of government in the vast territory proposed to be opened, still unsettled, recommend the acceptance of the "Hheads of Proposal" as submitted by them, and conditionally approved by his grace.

The committee are of opinion that in view of the recent change in the constitution and objects of the Hudson's Bay Company, which from the correspondence laid before the House of Lords appears to have been effected, and the claims which the new organization have reiterated, with the apparent sanction of His Grace the Duke of Newcastle, to territorial rights over a vast region not included in their original charter, it is highly expedient that steps be taken to settle definitely the North-Western boundary of Canada.

The committee therefore recommend that correspondence be opened with the Imperial Government, with the view to the adoption of some speedy, inexpensive and mutually satisfactory plan to determine the important question, and that the claims of Canada be asserted to all that portion of Central British America, which can be shown to have been in the possession of the French at the period of the cession in 1763.

(Certified) W. H. LEE.

Clerk of the Executive Council.

Sir Edmund Head was, however, of the opinion that a complete purchase of the company's territory by the Crown would be the best solution of the question, but recognizing the obstacles to this, he made the following suggestions in November, 1863 :—

"1. An equal division of the portion of the territory fit for settlement between the company and the Crown, with inclusion of specified tracts in the share of the former.

"2. The company to construct the road and telegraph.

"3. and 4. The Crown to purchase such of the company's remises as should be wanted for military use, and to pay to

the company a net third of all future revenue from gold and silver."

The reconstruction of the company, however, and the increase of its capital stock, had created a feeling of distrust in the minds of some of the public men of Canada, and one prominent statesman declared that the capital had been inflated with the view of demanding an unreasonable sum in exchange for the North-West territory. But there is nothing of this shown in the several propositions presented by the company and it must be remembered that the reconstruction and increase of capital took place when the company was contemplating the work of constructing a road and telegraph line in connection with Sir Edward Watkin's scheme, which would require a large amount of money to carry it through. The capital stock of the company had been increased only five times in two hundred years as follows:—

1670 it was	-	-	-	-	£ 10,500
1690 increased to	-	-	-	-	31,500
1720	"	"	-	-	94,500
1821	"	"	-	-	400,000
1857	"	"	-	-	500,000

The actual capital at this time stood:—

Assets	-	-	-	-	£1,468,301	16	3
Liabilities	-	-	-	-	203,233	16	11
Capital	-	-	-	-	£1,265,067	19	4
1863 increased to	-	-	-	-	2,000,000	00	00

On the 19th February, 1864, the Governor-General of Canada, in his Speech from the Throne at the opening of Parliament, said:

"The condition of the vast region lying on the north-west of the settled portions of the province is daily becoming a

question of great interest. I have considered it advisable to open a correspondence with the Imperial Government, with a view to arrive at a precise definition of the geographical boundaries of Canada in that direction. Such a definition of boundary is a desirable preliminary to further proceedings with respect to the vast tracts of land in that quarter belonging to Canada, but not yet brought under the action of our political and municipal system."

In the debate on the Address which followed, Hon. Wm. Macdougall, Minister of Crown Lands, who had charge of the question, said :

"The Government of Canada soon came to the conclusion that the first thing to be done was to determine whether the Red River Territory belonged to Canada or to some other country, and the consequence was that a correspondence had been opened with the Imperial government on the subject, as stated in the Speech. He did not know that there was any harm in his stating his individual view of the case at the present time, which was that Canada was entitled to claim as a portion of its soil all that part of the North-West territory, that could be proved to have been in the possession of the French at the time of the cession of Canada to the British."

On the 11th March, and 5th April, 1864, the Duke of Newcastle declined the suggestions of Sir Edmund Head, but made the following counter proposals :

"1. The company to surrender to the Crown their territorial rights.

"2. To receive one shilling for every acre sold by the Crown, but limited to £150,000 in all, and to fifty years in duration, whether or not the receipts attained that amount.

"3. To receive one-fourth of any gold revenue, but limited to £100,000 in all, and to fifty years in duration.

"4. To have one square mile of adjacent land for every lineal mile constructed of road and telegraph to British Columbia."

On the 13th April, the company accepted the principle of these proposals, but said that the amount of payments within fifty years should be either not limited, or else placed at £1,000,000 instead of £250,000. They added some other proposals, including a grant to them of 5,000 acres of wild land for every 50,000 acres sold by the Crown. Mr. Cardwell, who had succeeded to the office of Secretary of State, stated on the 6th June that he could not accept the company's view of the proposals, and so Sir Edmund Head, in December, while not receding from his former position, threw out an alternative of which the principal feature was a payment to the company of £1,000,000 sterling for the territory which he defined in his letter.

About this time, Hon Geo. Brown, who was in England, representing his colleagues in the Canadian ministry on this question, contended that the company were seeking to sell to Her Majesty's Government for an enormous sum, territory to which they had no title under their charter, and expressed the opinion that it was the part of the Imperial authorities to secure the extinction of the company's proprietary rights and exclusive privileges of trade, and that then Canada should undertake the duties of government.

In the spring of 1865, a delegation, of which Mr. Brown was a member, visited England, and among other important topics took up the question of the Hudson's Bay Territory. Mr. Cardwell, the Secretary of State, gives the following as the result of his meeting with the delegates: "On the fourth point, the subject of the North-Western Territory, the Cana-

ian ministers desired that that territory should be made over to Canada, and undertook to negotiate with the Hudson's Bay company for the termination of their rights, on condition that the indemnity, if any should be paid, would be raised by Canada, by means of a loan under Imperial guarantee. With the sanction of the Cabinet, we assented to the proposal, undertaking that if the negotiations should be successful, we, on the part of the Crown, being satisfied that the amount of the indemnity was reasonable and the security sufficient, would apply to the Imperial Parliament to sanction the arrangement and guarantee the amount.

No immediate results followed the visit of the delegation of 1865, and in February, 1866, Sir Edmund Head communicated to Mr. Cardwell, a proposal made to the company (through Mr. McEwen) by certain Anglo-American capitalists, to buy the cultivable territory in order to settle it on American principles of organization, upon which Mr. Cardwell, in reply, reminded Sir Edmund Head of the understanding existing between the Canadian delegates and Her Majesty's Government. Sir Edmund answered that the company had never lost sight of it, but begged to know how long the option on the part of Canada was to be supposed to remain open, and pointed out the consequences to the pecuniary interests of the company, if they were to be considered bound to lose favorable opportunities of sale, and were restrained by a very indefinite understanding between two other parties, from dealing to the best advantage with their own property.

These views were communicated to the Canadian Government, who, in a minute of council, dated 22nd June, 1866, replied to the following effect: "The Executive Council, while contesting in many respects the pretensions of the company,

at the same time expressed a strong conviction of the importance of establishing at an early date, a regular government in the territories intervening between Canada and British Columbia, and said that they would have opened negotiations with the company for the extinction of their claims, were it not for the prospect of a speedy confederation of the Provinces. The Canadian ministers had thought it improper to enter upon negotiations which could only be completed and fulfilled by the confederate Government and Legislature, but had no doubt that these would feel it to be one of their first duties to open negotiations with the Hudson's Bay Company, for the transfer of their claims to the territory. The minute of council then invited the aid of Her Majesty's Government, in discountenancing and preventing any such sales of any portion of the territory, as contemplated by the company. The reply of the Canadian ministers was communicated to the company in July, 1866.

In the following January, Lord Carnarvon suggested to the Hudson's Bay Company, that whilst doubtless they were free to consult their own interests, yet, with reference to what had passed with the Canadian Government, it would not be advisable to take any step which would embarrass the expected negotiations.

The following year the delegates from British North America on Confederation, while in session, deprecated the formation of a Crown Colony in the Hudson's Bay Territory, and added the following resolution: "Resolved, that this conference having had communication of an order in council of the Canadian Government, bearing date 22nd June, 1866, on the subject of the claims of the Hudson's Bay Company, and a proposition of certain parties to purchase such portions of the

th-West Territory as may be capable of cultivation, are of opinion that the views expressed by the Canadian Government on both points are well-founded, and will be confirmed by the Parliament of Canada."

The scheme of Confederation, originating as it did in the Maritime Provinces, with such men as Howe, Tupper, Tilley, Hibald, Gray and Johnson, leading the way, was taken up by the Government of Old Canada, and amongst those who took a prominent part in the great work are to be found the names of Sir John A. Macdonald, Hon. George Brown, Sir George E. Cartier, Sir Etienne P. Taché, Sir A. T. Galt, Hon. John Ross, and others, who, sinking personal and political differences for the time being, united to carry out the grand project of Union in British North America.

The result of the meeting of delegates already referred to was the framing of the British North America Act, which was passed in 1867, and on the 1st July of that year, Lord Monck issued a proclamation announcing his appointment as Governor-General of Canada.

The distinguished statesmen who laid the foundation of Confederation, foresaw that in the near future, the older Provinces of the Dominion would require room to extend their efforts in the march of progress. They realized that at any day fields for enterprise would be necessary, and that to encourage and sustain the great manufacturing and shipping interest of Canada, a large increase of farming population would be required. The example of the United States was before them, and they could not shut their eyes to the fact that the rapid development and settlement of the Western States constituted one of the great secrets of the success of the American Union. With this example before them, our

statesmen were equal to the occasion, for, in bringing about the union of the Provinces, they held to the principle that until Confederation extended from the Atlantic across the continent to the Pacific, it would not be complete, and, with that great idea in view, they provided for the extension of the Dominion accordingly.

In the terms of the British North America Act of 1867, Article XL, sec. 146, provided as follows: "It shall be lawful for the Queen, by and with the advice of Her Majesty's Most Honorable Privy Council, etc., on addresses from the Houses of the Parliament of Canada, to admit Rupert's Land and the North-West Territory, or either of them, into the Union, on such terms and conditions in each case as are in the addresses expressed, and as the Queen thinks fit to approve, subject to the provisions of this Act."

On the 4th December, 1867, Hon. Wm. McDougall, then Minister of Public Works, introduced at the first session of the Dominion Parliament a series of resolutions, on which the addresses provided for in the British North America Act were to be based.

The resolutions were as follow :

1. That it would promote the prosperity of the Canadian people, and conduce to the advantage of the whole Empire, if the Dominion of Canada, constituted under the provisions of the British North America Act, 1867, were extended westward to the shores of the Pacific Ocean.

2. That colonization of the lands of the Saskatchewan, Assiniboia and Red River settlements, and the development of the mineral wealth which abounds in the regions of the North-West, and the extension of commercial intercourse through the British possessions in America from the Atlantic to the Pacific, are alike dependent upon the establishment of a stable government, for maintenance of law and order in the North-West Territories.

3. That the welfare of the sparse and widely scattered population of British subjects of European origin, already inhabiting these remote and un-

zed territories, would be materially enhanced by the formation of political institutions bearing analogy, as far as circumstances admit, to those which exist in the several Provinces of this Dominion.

That the 146th section of the British North America Act, 1867, providing for the admission of Rupert's Land and the North-West Territory, or either of them, into union with Canada, upon terms and conditions to be expressed in addresses from the Houses of Parliament of this Dominion to Her Majesty, and which shall be approved of by the Queen in Council.

That it is accordingly expedient to address Her Majesty, that she do be graciously pleased, by and with the advice of Her Most Honourable Privy Council, to unite Rupert's Land and the North-West Territory to the Dominion of Canada, and to grant to the Parliament of Canada authority to legislate for their future welfare and good government.

That in the event of the Imperial Government agreeing to transfer to Canada the jurisdiction and control over this region, it would be expedient to provide that the legal rights of any corporation, company, or individual, or the same, will be respected; and that in case of difference of opinion as to the extent, nature, or value of these rights, the same shall be subject to judicial decision, or be determined by mutual agreement between the Government of Canada and the parties interested. Such agreement to have no effect or validity until first sanctioned by the Parliament of Canada.

That upon the transference of the territories in question to the Canadian Government, the claims of the Indian tribes to compensation for lands reserved for purpose of settlement, would be considered and settled in conformity with the equitable principles which uniformly governed the Dominion in its dealings with the Aborigines.

That a select committee be appointed to draft an humble Address to Her Majesty on the subject of the foregoing resolutions.

Mr. Wm. McDougall, in his speech supporting these Resolutions, concluded with the following words: "First, it is desired that this country (the North-West) should be transferred from Imperial to Canadian authority. Second, that the control of that country ought to be in the hands of this Parliament, and under the direction of this Legislature. Then, if any company make any claim to any portion of the soil occu-

pied by our servants, they will come into the courts to make good their claim, and they will have the right, if the decision is adverse to them, to appeal to the Privy Council."

This summing up was contrary in spirit to the minute of council passed on the 22nd June, 1866, which said "that the Legislature would, no doubt, feel it to be one of their first duties to open negotiations with the Hudson's Bay Company for the transfer of their claims to the territory," a statement which, as we have seen, was afterwards endorsed by the delegates to England on confederation. But to make it more clear that the Canadian Ministers wished to repudiate the position which they held in 1866, Hon. Mr. McDougall further said in the course of the debate, "that, in regard to the question of terms, the honorable gentleman had pretended that the Government was prepared to recognize the right of the Hudson's Bay Company to demand a large sum of money from the people of this country. He denied there was such intention. They proposed to claim this country as being part of New France, as having been ceded to the English Government in 1760, and as having remained in that position from that time down to the present."

An amendment to the Resolutions was moved by Mr. Holton in these words: "That it is, therefore, inexpedient to adopt an address under the 146th clause of the British North America Act of 1867, until the nature, extent, and value of the claims with which the territories in question are burdened shall be ascertained." This amendment was lost, and the Resolutions, slightly amended, were carried by a large majority.

But the Hudson's Bay Company would not consent to a transfer of the territory until terms were first settled, and the

ount to be paid to them stipulated beforehand, and seeing that Canada had practically agreed to this, it was not surprising to hear that the British Government undertook to have the undertaking carried out. The Duke of Buckingham, Secretary of State for the Colonies, sent a despatch to Lord Monck, the Governor-General of Canada, stating that the claims of the company would have to be first settled before any transfer could be effected, adding that a bill, based on the propositions of the Hudson's Bay Company, would be presented to the Imperial Parliament.

The result of this was that Sir George E. Cartier and Hon. Mr. McDougall were appointed, by order-in-council, a delegation to proceed to England and settle the terms of the transfer, and on the 3rd October, 1868, they sailed on their mission. At their arrival they at once proceeded to enter into negotiations with the Hudson's Bay Company, through the medium of the Duke of Buckingham, and were in the midst of them when the Government in Britain was defeated, and Earl Granville became Secretary of State. At first the company refused to relinquish its rights of government and claims to the territory, reserving a royalty interest in the lands and fisheries, with certain reservations for hunting and trading purposes, but after the accession of Earl Granville to office, an agreement was finally reached, and arrangements for the transfer concluded on the 9th March, 1869. By this agreement the Hudson's Bay Company were to receive £300,000 sterling on the surrender of their rights to the Imperial Government, who should, within one month from such transfer, transfer the same to Canada. The company also retained certain reservations of land in the vicinity of their forts and trading posts, and were to have two sections in each surveyed

township, or about one-twentieth. The Imperial Government agreed to guarantee a loan of £300,000 sterling to pay the Hudson's Bay Company, and the Dominion Government undertook to respect the rights of the Indians and Half-Breeds in the territory transferred.



CHAPTER XXII.

ACT OF THE NEGOTIATIONS ON THE RED RIVER SETTLERS.

THE effect, on the Red River settlement, of the negotiations between Britain, Canada, and the Hudson's Bay Company, to create a feeling of unrest in the minds of the people. The officers of the fur trade were not wholly satisfied with the change in the policy of the company, brought about by the plan of reconstruction which had taken place in London. The future of the grand old concern appeared to them to be uncertain, and their own prospects far from satisfactory. The settlers and half-breeds, on the other hand, seeing that a great change was at hand which might seriously affect their welfare, began to grow uneasy and restless under the unsettled state of affairs, especially, as in the negotiations which were going on, their feelings or desires appeared to be disregarded altogether.

Mr George Simpson died in September, 1860, and was succeeded by Alexander Grant Dallas, who had for some years been a director and extraordinary agent for the company, on the Pacific Coast. He, however, only held office for about two years, and in 1864 William Mactavish was appointed governor, and filled the position until the transfer of the territory to Canada took place, when he went home to England, where he died soon after his arrival.

The population of Red River had by this time increased to

between 12,000 and 13,000 souls, of whom about one were French half-breeds, engaged chiefly in hunting, trapping and freighting. They were the most restless people under the proposed change of administration, a strange to say, although they had been the strongest opponents of the Hudson's Bay Company throughout, they were more inclined now to remain under the sway of the company than to be transferred to the care of Canadians, whom they looked upon very much in the light of strangers.

We must not anticipate, however, but will take up the thread of affairs in the settlement where we left off. In spring of 1862, owing to the flood of the previous year, there was much distress at Red River, and the offices of the Hudson's Bay Company at Fort Garry were besieged by numbers of the poorer people asking for food to tide them over the summer. Seed wheat was furnished by the company to those who required it, and the sufferers among the settlers were provided for by the Governor and Council of Assiniboia until crops were in, and matters improved. On May 18th, Governor Dallas arrived at Fort Garry, and, contrary to the usual custom of Sir George Simpson, who kept himself aloof as much as possible from mixing in the affairs of the settlement, he endeavored to gain a practical acquaintance with it and its inhabitants, and at first was popular with the people. When, soon after his arrival, he issued orders to his subordinate officers to discontinue the system of paying cash for "country produce," it changed the sentiment of a large number of settlers toward him. The Hudson's Bay Company purchased most of the products of the farm, for which they had been in the habit of paying out their notes in exchange, and as these were redeemed by bills of exchange on London, the







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virtually meant cash payment. The notes, as we have already shewn, were used as the currency of the country, and when Governor Dallas found that the money paid out by his officers for produce found its way into the hands of rival parties, who were strong opponents of the company in the fur trade, he, very naturally, decided not to play any longer into their hands in this way—hence the order. Of course the action of the Governor lessened very considerably the amount of money in circulation, and, in consequence, there was a general outcry against his measure, but his order remained, and at the company's posts "country produce" continued to be paid for in merchandise.

The only newspaper in the settlement, the *Nor'-Wester*, to which we alluded in a previous chapter, was edited by Mr. James Ross, who at the same time acted as sheriff, and on the occasion of Governor Dallas's order in regard to "country produce," it published a scathing denunciation of the action taken by the company—and from then on, the *Nor'-Wester* may be said to have been a thorn in the side of the government officials at Red River.

About this time two parties of distinguished travellers visited the settlement, one in August, 1862, composed of Lord Milton, Doctor Cheadle, and their attendants, on their way across the continent to the Pacific; and the other in October, consisting of the Earl of Dunmore, and a party of officers, who were returning from an extended hunting expedition on the plains. Doctor Cheadle afterwards published an interesting account of the trip, which did a great deal towards drawing attention in England to the great North-West and its resources. When Lord Dunmore and his party arrived, the Sioux outbreak was in progress in Minnesota, and they were

obliged to take a somewhat round-about journey, by what was called the "Wood Road," in order to reach St. Paul, without coming into contact with the hostile Indians. The rising of the Sioux at the south of the settlement caused a good deal of uneasiness to the people of Red River, as at one time it looked as if their supplies coming via the United States would be cut off. This, however, did not happen, although the Hudson's Bay Company met with a heavy loss in the pillage of one of their trains by a band of Chippewaya.

The isolated position of most of the settlers, should the hostile Indians come north, was such as to leave them at the mercy of the savages in case of an attack, and it was felt that some means of protection ought to be provided. Accordingly, a meeting of the Council of Assiniboia was held, presided over by Governor Dallas, at which a petition was drawn up, asking the Colonial office in England for troops, and to this document 1183 signatures were attached. The *Nor'-Wester*, however, saw in this an opportunity to make an attack on the government, and at once drew up a counter petition, which, while asking for troops, commented disparagingly on the manner in which the company's jurisdiction was exercised. Both petitions found their way to the Colonial office, and at the same time into the waste basket of that department.

Meanwhile the action of Mr. James Ross, in thus attacking, through the columns of the *Nor'-Wester*, the government of which he was a paid official, could not remain unnoticed and at a full meeting of the council he was deprived of the posts he held as sheriff-governor of the gaol and postmaster. Mr. Henry McKenny being appointed sheriff, and Mr. A. G. B. Bannatyne becoming postmaster. Mr. Ross, freed from the trammels of office, now became a strong agitator against the

company, and by means of his paper and the holding of public meetings, he made matters lively in the settlement. At one time it was proposed to send him to England to plead the cause of the settlers, but, the funds for the trip not being forthcoming, Mr. Ross abandoned the idea, and Mr. Sandford Fleming, who afterwards became prominent in connection with the Canadian Pacific Railway, was selected in his stead.

Soon after this, Rev. G. O. Corbett, who, it will be remembered, was one of the witnesses before the committee of 1857, when he gave evidence disparaging to the company, and who had all along been one of the chief agitators against the government at Fort Garry, was arrested on the charge of attempted abortion on the person of a young girl in his employ. The trial of this case excited a good deal of feeling in the settlement, owing to the fact that Corbett appealed to public sympathy on the ground that he was being persecuted. The *Nor'-Wester* took up his cause strongly, and columns of matter were published in an effort to make the reverend gentlemen a martyr: but, notwithstanding all this, he was convicted and sentenced to imprisonment for a term of six months. Incarceration in prison, however, did not prevent Mr. Corbett from continuing to appeal to his friends outside, and, as a result, petitions asking for his release were forwarded to the authorities. But Governor Dallas, and Judge Black, who tried the case, declined to set the prisoner at liberty, although the petitions contained the names of several of the leading clergymen, and others of prominence in the settlement, on the ground that the verdict was in accordance with the evidence, and the punishment justly deserved.

Agitation in favor of Corbett, however, continued, until, on the 20th of April, a few determined characters surrounded the

jail, broke in the door, and liberated him. Mr. James Stewart, one of the ringleaders on this occasion, was then arrested, but he had been confined only a few days when a party of men led by Mr. William Hallett and John Bourke, both men of influence among the English half-breeds, broke into the prison, and released him. Neither Corbett nor Stewart were re-arrested, and shortly after their liberation the justices of the peace addressed a letter to the governor, advising that until a regular force could be obtained to support the authorities, no further proceedings should be taken against the rioters, and pointed out that, except as regarded suits having no public interest, without a force acting under the Queen's direct authority, justice could no longer be administered.

It was soon after this that the Hudson's Bay officers of the fur trade heard for the first time of the reconstruction of the company in England, and the retirement of most of the old board, a piece of intelligence that was not received with favor by any of them. Indeed this, combined with the troubles and excitement existing in the settlement, seemed to foreshadow the downfall of the whole fabric, which for so many years had held sway in the North-West. The administration of affairs in Red River, however, went on smoothly after the Corbett-Stewart incident, but no attempt was made to try any criminal cases which might tend to excite public feeling, the authority of the Hudson's Bay Company, unsupported as it was by any force, being practically dead.

In 1864, just before his retirement from the governorship, Governor Dallas succeeded in arranging with the American authorities for a through mail-bag from St. Paul to the settlement, which was a great improvement upon the previous postal facilities.

In the meantime, the settlement was troubled by occasional raids from the Sioux, and it was with some satisfaction that the settlers heard of the establishment at Pembina of a force of American troops under command of Major Hatch. The Sioux, however, continued to visit the British side of the boundary line, and made several attempts to permanently take up their quarters in the territory, but the Saulteaux, Crees, and Chippeways would give them no peace, and the Hudson's Bay Company and settlers, refusing to provide them with ammunition, they were finally forced, with the exception of a small band, to return to American soil.

In 1864, Mr. James Ross retired from the editorship of the *Nor'-Wester*, and Dr. John Schultz, in company with Mr. Coldwell, carried on the paper, and the doctor, on behalf of himself and partner, issued the following introductory address :

We need hardly assure our readers that the theory of the circulation will be attended to in future, and all bad humors will be eliminated from our columns. Diseases in our social system will be vigorously attended to, and our best exertions used to keep the body politic in sound health and good working order. Persons in low spirits and of a desponding turn of mind, will only have to read the *Nor'-Wester* to be cured in an instant. Patients will be waited on (by our Devil), at their own residences, with a copy of the paper, if they will only bleed to the extent of four-pence for each number, or they will be compounded with and kept in good spirits for the whole year, at the rate of ten shillings per annum.

Whether the promises in the above notice were not fulfilled, or the paper having become a government organ, its editorials were without their usual spice and vigor, we cannot tell, but the *Nor'-Wester* languished until, on the 23rd February, 1865, the office and all its contents were destroyed, and in the following July, after starting the journal afresh, Mr. Coldwell dissolved partnership with Dr. Schultz, who carried on the enterprise alone.

In May, 1864, Governor Dallas left the settlement, on his return to England, Mr. Wm. Mactavish succeeding him, and on the 31st of the month Bishop Anderson took his departure, deeply regretted by many of the settlers.

The company now gave signs that they were in earnest about building a telegraph line, and in 1865 sent out Dr. John Rae, the Arctic explorer, to ascertain the practicability of establishing communication in this way across the continent. Dr. Rae was accompanied by an engineer named Schwieger, and the two made a careful examination of the route to British Columbia, and afterwards submitted an exhaustive report on the subject, but, with the exception of transporting a large quantity of wire to the North-West, the company never proceeded further with the work.

In 1864, the grasshoppers again visited the settlement and entirely destroyed the crops, but, owing to the extreme shallowness of the river that season, the steamer *International* made only one trip, and the company were obliged to employ a large number of freighters, which enabled the settlers to buy their supplies. The hunt that year was also exceptionally good, so that there was plenty of food and no destitution.

We now come to an incident which, at a subsequent stage in the history of the settlement, was destined to play an important part and to create further trouble for the authorities at Fort Garry. Dr. Schultz, whom we have already mentioned in connection with the *Nor'-Wester*, had entered into partnership with Mr. Henry McKenney, and with him carried on a general trading business, which in 1864 was dissolved, and in closing up the accounts, the doctor claimed a sum of £300, as being due him. The matter finally came before the court, and in the course of the trial Dr. Schultz made certain remarks

story to the bench, which he declined to retract. Upon being refused the right to appear in his own behalf in the case in question, and several others which he had pending, being still proprietor of the *Nor'-Wester*, he made use of the paper to denounce the authorities for their attitude towards him. From this time the paper became a much more active opponent of the company than it ever was during the tenure of Mr. James Ross.

In 1866 the remnant of the Sioux that remained in the settlement were attacked by a band of Red Lake Indians, four of the former being killed, and the authorities, fearing lest it might lead to hostilities between the two tribes, decided to call out a force of from 50 to 100 of the settlers to defend the settlement, but fortunately the Sioux never sought to retaliate. Shortly after this, a half-breed named Desmarais killed a man named Letaux in a quarrel, and was tried, convicted, and sentenced to be hanged. The prisoner's friends petitioned for a commutation of the sentence, and the Indians in the neighborhood threatened to take the law into their own hands unless Desmarais was hanged, so the authorities adopted a different course, by secretly conveying him from the settlement and banishing him for life.

It will thus be seen that the conduct of court business at Fort Garry about this time was attended with no small difficulties.

Indeed, it came as near being a farce as it well could

be. There was, however, a period of ridiculous proceedings in the settlement, and probably the most absurd was a meeting which took place in the Court House at Fort Garry, on the 12th of December, 1866. At this meeting there were just five persons present, who proceeded to draw up a memorial to the

Imperial Government, praying to be received into, and to form part of, the Grand Confederation of British North America, in consort with Vancouver and British Columbia, in order to further British interests and confederation from the Atlantic to the Pacific. The *Nor'-Wester* described the assemblage of five as a representative and important move to get rid of the yoke of the Hudson's Bay Company, and so it was accepted in Canada, while in reality it was the joke of the settlement.

Another absurdity was a so-called invitation from the Indians, addressed to the Prince of Wales, asking him to visit the North-West, a document emanating from the fertile brain of a white man, who wished to distinguish himself before his fellows as a man of resource. The original draft of the memorial was written in English, and translated into Indian by a young half-breed at school in the settlement, and no Indian, so far as known, had anything to do with its production.

This extraordinary document read as follows:—

To the First-born of our Great Mother, across the Great Waters.

Great Chief, whom we call Royal Chief.—We and our people hear that our relations, the half-breeds and pale-faces at Red River, have asked you to come and see them next summer. We and our people also wish you to come and visit us. Every lodge will give you royal welcome. We have the bear and the buffalo, and our hunting grounds are free to you: our horses will carry you, and our dogs hunt for you, and we and our people will guard and attend you: our old men will show you their medals, which they received for being faithful to the Father of our Great Mother. Great Royal Chief! if you will come, send word to our Guiding Chief at Fort Garry, so that we may have time to meet and receive you as becoming our Great Royal Chief.

In June following, a letter was received by Mr. Thomas Spence, the author of the memorial, from the Secretary of the Governor-General of Canada, enclosing a copy of a despatch from the Duke of Buckingham, acknowledging receipt of his communication, and stating that it had been presented to the

nce of Wales. This acknowledgment of the worst fraud
r perpetrated on Royalty is, we believe, deposited in the
hives of the Dominion at Ottawa, and ought to be carefully
served.

Dr. Schultz now proposed to secure for himself a seat at the
ncil board of Assiniboia, a vacancy having occurred, and a
ition to that effect was presented, but the powers at Fort
rry would have none of him, and again the *Nor'-Wester*
ndered forth its anathema against the Hudson's Bay Com-
ny authorities, for their usurpation of the rights of the
ple.

In 1867, the first regular attempt was made to establish a
de between the Dominion of Canada and the North-West,
goods used in Indian trading and in the settlement having
n imported altogether up to that time from Britain and
United States. In the summer of 1867, Mr. W. E. San-
d (now Senator Sanford), being in St. Paul on a visit, met
Begg, the writer of this book, and induced him to under-
e at Red River, the opening up of a trade with Canada.

Sanford on his return home induced several prominent
ses in Hamilton and Toronto to take part in the scheme,
Mr. Begg proceeded to Fort Garry with a company of
lers who had been in St. Paul disposing of their furs and
chasing supplies. At first the merchants in the settlement
uld have nothing to do with Mr. Begg and his Canadian
ds, believing, as they said, that there was nothing to com-
e with the British and American manufactures. But time
perseverance overcame these obstacles, and a set of excel-
samples of Canadian-made articles served to convince the
otics that Canada, after all, could furnish supplies equal in
lity and much cheaper in price than those they had been

in the habit of buying. The result was that in January, 1868, Mr. Begg returned to Canada with orders amounting to nearly \$90,000, which he had received from the free traders of the North-West. Senator Sanford was the moving spirit in this new enterprise, and to him more than anyone else belongs the honor of having first established trade relations between the Dominion of Canada and the North-West Territories. The outcome of this first effort was that from that day Canadian goods each year found their way in large quantities into the settlement. Canadian merchants, other than those in Hamilton and Toronto, became interested, and bid for the trade, until gradually the British and American made articles were forced out of the way, and Canada held the trade almost alone. But to the City of Hamilton, Ont., belongs the credit of having taken the initiative, and to the pluck and energy of her merchants is due the fact that the Dominion trade thus early secured a foothold in the North-West.

And now we will refer to the closing scene in the McKenney-Schultz disputes, which not only caused a great deal of trouble to the court at Red River, but served the purpose of agitators to brand the Hudson's Bay Company with much undeserved obliquity. When Messrs. McKenney and Schultz dissolved partnership, there was a considerable sum due a Mr. F. E. Kew, of London, England, for which the parties gave a joint promissary note. The indebtedness was afterwards reduced to about £600, which Mr. McKenney, it appears, was forced to pay Mr. Kew, while he was on a visit to England and on his return to the settlement he instituted proceedings against Schultz to recover from that gentleman his share in the transaction.

Mr. McKenney obtained judgment by default against his



His Grace Archbishop of Rupert's Land

pendent to advise him, the first step taken by him being to provide for the levying of taxes, because, as they soon found out, no government, no matter how good, can succeed without funds. But there were rebels in the republic from the very start, who refused to contribute to the support of the President and his council, and one of these, named Macpherson, was duly indicted for treason, and arrested, but his friends, going at once to his aid, rescued him, and then turned the government of the republic out of doors.

Mr. Spence, however, did not mean to allow the opportunity to slip of again bringing himself before the notice of the Imperial authorities, and so, in February, 1868, he addressed the following letter to the Secretary of State for the Colonies:—

LA PRAIRIE, MANITOBA,

Via Red River Settlement.

February 19, 1868

MY LORD. As President elect, by the people of the newly-organized Government and Council of Manitoba, in British territory, I have the dutiful honor of laying before your Lordship, for the consideration of Her Most Gracious Majesty, our beloved Queen, the circumstances attending the creation of this self-supporting petty government in this isolated portion of Her Majesty's dominions, and, as loyal British subjects, we humbly and sincerely trust that Her Most Gracious Majesty, and her advisers, will be pleased forthwith to give this government favorable recognition, it being simply our aim to develop our resources, improve the condition of the people, and generally advance and preserve British interests in this rising Far West.

An humble address from the people of this settlement to Her Majesty the Queen, was forwarded through the Governor-General of Canada, in June last, briefly setting forth the superior attractions of this portion of the British Dominions, the growing population, and the gradual influx of immigrants, and humbly praying for recognition, law, and protection, to which no reply or acknowledgment has yet reached this people.

Early in January last, at a public meeting of settlers, who number over four hundred, it was unanimously decided to at once proceed to the election and construction of a government — which has accordingly been carried out — a revenue imposed, public buildings commenced, to carry on:

the laws, provisions made for Indian treaties, the construction of roads, and other public works, tending to promote the interests and welfare of the people, the boundaries of the jurisdiction being, for the time, proclaimed as follows :—

North—From a point running due north from the boundary line of Assiniboia till it strikes Lake Manitoba, thence, from the point struck, a straight line across the said lake to Manitoba Port ; thence by longitudinal line 51, till it intersects line of latitude 100.

West—By line of latitude 100 to the boundary line of the United States and British America.

East—The boundary line of the jurisdiction of the Council of Assiniboia.

South—The boundary line between British North America and the United States.

I have the honor to remain, my Lord,

Your Lordship's obedient servant,

T. SPENCE,

Pres. of the Council.

to the Secretary of State for Colonial affairs, London, England.

To this letter Mr. Spence received the following reply :—

DOWNING STREET,

May 30th, 1868.

SIR—I am directed by the Duke of Buckingham and Chandos to inform you that your letter of the 19th February last, addressed to the Secretary of State for Foreign Affairs, has been forwarded to this department, and that His Grace has also received a copy of a letter addressed by you to Mr. Angus Morrison, a member of the Canadian Parliament, dated the 17th February last.

In these communications you explain the measures that have been taken for creating a so-called self-supporting government in Manitoba within the territory of the Hudson's Bay Company.

The people of Manitoba are probably not aware that the creation of a separate government, in the manner set forth in these papers, has no force in law, and that they have no authority to create or organize a government, or even to set up municipal institutions (properly so-called) for themselves, without reference to the Hudson's Bay Company or to the Crown.

Her Majesty's Government are advised that there is no objection to the people of Manitoba voluntarily submitting themselves to rules and regulations, which they may agree to observe for the greater protection and improvement of the territory in which they live, but which will have

no force as regards others than those who may have submitted themselves.

As it is inferred that the intention is to exercise jurisdiction over offenders in criminal cases, to levy taxes compulsorily, and to attempt to put in force other powers, which can only be exercised by a properly constituted government I am desired to warn you that you and your coadjutors are acting illegally in this matter, and that, by the course you are adopting, you are incurring grave responsibilities.

I am Sir,

Your obedient servant,

* * * *

The receipt of this official document caused the immediate collapse of the Republic of Manitoba, because Mr. Spence, while quite willing to make himself notorious, was not prepared at the same time to incur the grave responsibilities mentioned in the letter of His Grace the Duke of Buckingham.

The news of the proceedings at Portage la Prairie, which we have described, and the disturbances arising out of the McKenney-Schultz affair, reached Canada in a distorted manner, and had the effect of producing an impression that they were caused by the misgovernment and tyranny of the Hudson's Bay Company: but we have now come to a period when a division of the people took place on this very subject, and it will be seen that a very small majority held the opinion that the actions of the company were oppressive. In point of fact, the settlement was never more contented than at the time we are writing about, and although the government of the country was acknowledged to be weak, if not altogether powerless, the settlers, as a rule, were law-abiding, and the condition of the community, on the whole, satisfactory.

The majority of the settlers were not, therefore, in accord with the few disturbers of the peace, and agitators who had reached the point where there was "method in their madness," the purpose being to play into the hands of Canada, by showing the weakness of the company's government.

company, on the other hand, looking at it purely in the light of a claim made on them, treated it from a business point of view, without sentiment, and declared that when the transfer was made to them the providing of a Scotch minister for Red River was not even mentioned, and on that ground they refused the claim. Had the matter been presented to them in a different form, it is quite possible the Scotch would have had their minister at a much earlier period than they did. Now, it must be clear to every unbiased mind, looking at the subject at this late day, that each side had a good case in the view taken of it. The Scotch, relying on the promise made to them, expected its fulfilment, and the Hudson's Bay Company, claiming to have no share in that promise, repudiated all responsibility in regard to it, while the Presbyterians in Scotland, from whom the minister was to be obtained, stood aloof during the time the discussion was going on. This, it appears to us, is a plain, unvarnished statement of the case.

In order, however, to place the subject clearly before our readers, we will quote from the correspondence that took place between the various parties in relation to it. In a petition, presented by the Scotch settlers to the Governor and committee of the company, in 1844, the following clause appears :

"That your petitioners, before leaving Scotland, had a solemn promise from the late Earl of Selkirk, that a clergyman of their own church would either accompany them to this country, or join them the following year in it. That when his Lordship visited the colony, in the year 1817, this promise was then renewed: but the troubles, or rather the lawsuits, in which his Lordship was engaged in Canada, detained him long there: and the state of his health after going home, rendering it necessary for him to travel on the Continent of Europe,

number of those who had signed the document, that they started out with the intention of demolishing the office. They were, however, restrained by the Governor, upon Bown undertaking to publish a certain number of copies of the petition for which the aggrieved settlers agreed to pay. The outcome of this little fracas was a suit for defamation of character, brought by two of the men against Bown, who was condemned to pay a sum of five pounds, which he refused to do. He was then clapped into jail, but in about an hour a friend paid the amount, and the wrathful editor was released. This incident was heralded in Canada as an attempt on the part of the company to muzzle the press of the country, and of course created the usual amount of indignation in places where the circumstances of the case were not known.

In July, 1868, Mr. Bown became sole proprietor of the paper, Dr. Schultz retiring, and the issue became weekly instead of fortnightly. With the change of ownership, however, the tone of the journal did not improve, but, on the contrary, virulent abuse of the authorities became even worse than ever. In August, however, the *Nor'-Wester* did good service to the settlement in calling attention to the distress that prevailed, owing to the ravages of the grasshoppers. In the autumn of 1867, the whole country was invaded by swarms of locusts, and these having deposited their eggs, the young insects in the following spring devoured every green thing on the face of the land. The result was that actual starvation stared the settlers in the face, and the *Nor'-Wester* published an earnest appeal for aid, addressed to the inhabitants of Canada and the United States.

The Earl of Kimberley, Governor of the Hudson's Bay Company, and others, published letters on the subject in the

on *Times*, and, as a result of these efforts, generous donations poured in from all sources. It was the darkest season of settlement in many years, for not only were the crops destroyed, but the buffalo hunt and the fisheries proved to be complete failures, and even the rabbits and pheasants in the prairie had disappeared. There was, therefore, no food for the people, except what could be obtained from the liberal donations of outside friends.

The much abused council of Assiniboia was the first to come to the rescue of the settlers, by voting a sum of £1,600, to be immediately spent in the following manner: £600 were appropriated to purchase seed wheat; £500 for flour, and £500 for tools, hooks, and ammunition, to be distributed among such persons as desired to use them in procuring fish and game. The donation of the Council of Assiniboia was quickly followed by a liberal amount (£2,000) from the Hudson's Bay Company, which made a total of £3000 in all received from within; then came *Canada with a generous sum, followed by the United States with \$5,000.

A central organization, named the "Red River Relief Committee," composed of some of the principal residents, including the Governor and the Bishops, was then formed for the purpose of regulating the distribution of the supplies. The flour and provisions had to be brought from St. Paul, and in order to give the distressed settlers an opportunity to earn food for their families, a large number of them were employed to convey the supplies over the prairie, the freight being paid in advance, and as the work of freighting relief stores, owing

Ontario Government voted \$5,000 for the relief of the Red River settlers, but Hon. John A. Macdonald, for some reason, opposed its payment. The private contributions from Ontario, especially Hamilton, were most liberal.

to the lateness of the season, had to be carried into the winter months, it enabled many to tide over the season.

In the autumn there arrived in the settlement, a party of Canadian Government employes, in charge of Mr. John Snow, for the purpose of constructing a road between the River and the Lake of the Woods, the idea being to prosecute a public work, and at the same time afford relief to the settlers by employing them on it. With Mr. Snow came Mr. Chas. Mair, as his assistant, and this gentleman, being of a liberal turn of mind, occupied his spare moments in writing letters to his friends, which, unfortunately for him, were afterwards published in a number of Canadian papers, the *Toronto Globe* among the number. The contents of these letters were, to the least, injudicious, and Mr. Mair's criticisms not only brought him into disrepute with the settlers whom he ridiculed, but they also created a bad feeling towards the expedition of which he was a member.

The French half-breeds, of whom Mr. Mair wrote disparagingly, were particularly offended at the tone of his letters, resented the calumnies which he had endeavored to cast upon them as a class. We would not, however, have mentioned this circumstance, if it were not that these letters, from the pen of Mr. Snow's assistant, aroused a very unfriendly feeling on the part of the half-breeds against Canadian new-comers generally, which, later on, had much to do with the difficulties that arose between the two.

We will have occasion to deal with Mr. Snow's work on the Lake of the Woods road, in a later chapter, and will there proceed to give our readers a short description of the settlement as it was immediately prior to the transfer of the country to Canada.

his Lordship had cherished for some years the hope of making a journey through the Hudson's Bay territories, but matters connected with his diocese and long illness prevented him, until May of the year above mentioned.

Leaving Lachine on the 16th May, in a large canoe manned by eight French Canadians, and Six Iroquois Indians, he ascended the Ottawa to where the Mattawan joins it. He then passed from this through La Petite Rivière, and some small lakes traversing the high lands, until he reached Lake Nipissing, and having crossed it descended the whole length of French River into Lake Huron. Coasting up the northern shore of this lake, for 190 miles, he came to Sault Ste. Marie, and, crossing over, passed into Lake Superior and along the northern shore until Fort William was reached. Here the large canoe was exchanged for two smaller ones, and the journey by rivers, lakes, and portages made, until Lake Winnipeg was reached and the Red River entered.

In his journal, which he published after his return to Montreal, he thus writes of his treatment at the company's posts. "I carried," he says, "a letter from Sir George Simpson to be presented at every post where I should stop : but the kindness and attention which we everywhere experienced at the hands of the company's servants were marked by an *empressement*, which showed them to proceed from spontaneous feeling, and gave the better zest to those comforts and refreshments demanded by the body, which were tendered in a manner and under circumstances stamping them with a resemblance to the exercise of primitive hospitality towards the way-worn stranger."

The Bishop arrived at the Indian Settlement on Sunday, 23rd June, 1844, and thus speaks of the scene which met his

the banks of the Red and Assiniboine rivers settlements had spread, and everywhere could be seen signs of comfort and prosperity. The settlers, as a rule, were peaceful and law-abiding, and the disturbances, which we have noted from time to time, arose generally from the acts of a few men, and were not participated in by the community as a whole.

The French half-breeds, who had on several occasions given the Hudson's Bay Company a great deal of trouble, were, at the time we are writing about, among the most peaceful and loyal of the settlers to the government of the day. The Scotch and English had always been law-abiding, and, except in the case of a few won over by agitators, they had invariably supported the authorities. But the company, knowing its weakness, unsupported by any force of soldiers or constabulary, was unable to give that protection, through its courts, which a well-ordered community has a right to expect, and for this reason there was an undefined lack of confidence among all classes in its administration of affairs. The company's officers realized this, and were looking forward eagerly for some change to relieve them of the responsibility. The Council, although appointed by the Hudson's Bay Company, was really composed of representative men of the settlement, because, before an appointment was made, the views of the settlers on the subject were first ascertained, and if the councillors had been elected by popular vote the same men would probably have been chosen in most cases, and, what is more, the authority of the Hudson's Bay Company would have been maintained, as it was not only the chief source of revenue but also possessed of most power to do good to the settlement.

The court-house was situated outside, but close to the walls of Fort Garry, and although we need not repeat the particulars

relating to the administration of the law, we may say that the process, though well adapted for purposes of fair arbitration in simple cases, was liable to abuse, owing to its summary character, and absence of preliminary and other necessary arrangements customary with regular courts of law. The agitation against the authorities and against the courts proceeded, as already shown, not so much from natives of the colony as from new comers, and a few others who had an object in wishing to upset the government of the day.

The cultivated portions of the farms along the rivers were small, but immediately back of them could be seen great herds of domestic cattle, feeding on the plains, unherded and left to roam at will, grazing freely on the rich grass of the prairie. Just before the harvest it was customary for the settlers to go "hay cutting," which they did by travelling over the prairie until they came to a desirable spot, when they would cut in a circle, and all the grass thus enclosed belonged to the party hay-making, no one, by the acknowledged law of the land, being allowed to disturb him within that charmed circle. Then a busy scene commenced, the mowers (for the settlers had learned already to make use of agricultural machinery) were kept busy, and men, women and children might be seen actively engaged in stacking the hay. During hay time the people lived in tents on the hay ground, and only returned to their houses when the work was finished.

Almost immediately after haying, harvesting commenced, and any one, to have looked at the splendid fields of wheat, would have been impressed with the great fertility of the soil. At that time there was no settler away from the river, the line of settlement skirting the river with tidy farm houses, comfortable barns and well-fenced fields of waving, golden grain, like a beautiful fringe to the great fertile prairies beyond.

Socially there was much good feeling existing between the classes of the community, and a more hospitable or happier people could hardly be found on the face of the earth than the settlers of Red River in 1868-69. Such was the state of the settlement when arrangements for the transfer of the country to Canada were completed.

And now, in closing this chapter, we will take a glance at the progress of the Church from 1849 to 1869—a period of twenty years.

The cathedral erected by the Bishop of Juliopolis which was described in a former page of this volume, was destroyed by fire in 1860, and in 1861 Bishop Taché visited Europe partly for the purpose of raising money for the restoration of his church, the result of which was the erection of the handsome cathedral still standing in St. Boniface. About this time the enormous extent of territory included within the limits of the diocese of St. Boniface, rendered its administration extremely difficult under one head and it was decided by the Sovereign Pontiff, to divide it into two dioceses, the Assiniboia and Mackenzie River district as one, and Hudson's Bay another and the southern territory with its headquarters at Regina, the first-named diocese was placed under the first Bishop, and the second under Bishop Grandin, and at Red River. Seven parishes were in the diocese, with three thousand residents. The Roman Catholic clergy succeeded in their mission in all directions, and in May 1869, Père Van der Pyl, general counsellor of Oblates, inspector of missions, and a member of the outly



CHAPTER XVIII.

VOYAGEURS, FREIGHTERS, HUNTERS, AND TRAPPERS.

HARMON, in his journal of voyages and travels in the interior of North America, in 1819, thus describes the character of the voyageur.

“Like their ancestors the French, the Canadian voyageurs possess lively and fickle dispositions, and they are rarely subject to depression of spirits of long continuance, even when in circumstances the most adverse. Although what they consider good eating and drinking constitutes their chief good, yet, when necessity compels them to it, they submit to great privation and hardship, not only without complaining, but even with cheerfulness and gaiety. They are very talkative, and extremely thoughtless, and make many resolutions which are broken almost as soon as formed. They never think of providing for future wants, and seldom lay up any part of their earnings to serve them in a day of sickness, or in the decline of life. Trifling provocations will often throw them into a rage, but they are easily appeased when in anger, and they never harbor a revengeful purpose against those by whom they conceive that they have been injured. They are not brave, but when they apprehend little danger, they will often, as they say, slay the man. They are very deceitful, are exceedingly smooth and polite, and are even gross flatterers to the face of a person, whom they will basely slander, behind his back.

Socially there was much good feeling existing between all classes of the community, and a more hospitable or happier people could hardly be found on the face of the earth than the settlers of Red River in 1868-69. Such was the state of the settlement when arrangements for the transfer of the country to Canada were completed.

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In 1862, the present Episcopal cathedral at St. Johns was opened by Bishop Anderson, on the site of the old church built in 1834, and in 1864 the bishop took his ultimate departure from the settlement, when Rev. T. T. Smith officiated until Bishop Machray arrived in 1865 and took charge of the diocese. In the meantime, Rev. Mr. Hunter, who had been at the Cumberland Mission, came to Red River, and, as Archdeacon, was appointed to St. Andrew's, which he retained until 1865, when he returned to England and was succeeded by Rev. Archdeacon Cowley. St. Paul's, which had no regular clergyman until 1849, was in that year placed in charge of Rev. Mr. Chapman, and in 1851 a substantial stone church having been erected at St. Clements between the Indian settlement and St. Andrew's, Rev. Henry Cochran was appointed to it. On the river Assiniboine were the parishes of St. James, Headingly, St. Margaret, St. Ann, and St. Mary: the first being in charge of Rev. Wm. H. Taylor until 1868, when Rev. W. C. Pinkham was appointed. Headingly at one time was under the Rev. G. O. Corbett, to whom we referred in a former part of this book, but in 1866 Rev. James Carrie took charge. The parish of St. Mary was formed in 1857, by Rev. Archdeacon Cochran, who officiated there until 1865, when Rev. Henry George succeeded him. St. Margaret and St. Ann were also founded by Archdeacon Cochran, and in 1864 a regular resident clergyman was appointed to them in the person of Rev. John Chapman, who gave way in 1868 to Rev. Gilbert Cook.

In all there were twenty-four clergymen in the whole Diocese of Rupert's Land, nine of whom were engaged in regular parochial duty in the settlement, while the other fifteen were laboring in the interior missions, some of them lying as far

north as Athabasca. On the 30th May, 1866, the first "Conference for clergy and lay delegates from parishes" in the Diocese of Rupert's Land was held at St. Johns, by Bishop Machray, thus inaugurating the work of organization in the Church of England, and in the following October the Venerable Archdeacon McLean (afterwards Bishop of Saskatchewan), arrived in the settlement, who, by his great energy and untiring zeal, gave a decided impetus to church matters in Red River. In 1867, he commenced holding services in the town of Winnipeg, having obtained the use of a hall for the purpose, and in 1868, a small wooden church, "Holy Trinity," the first edifice of the kind, was erected in the town.

When Rev. John Black arrived in Red River, about 300 of the Scotch settlers separated from the Church of England and attached themselves to him. In 1853, a second Presbyterian church was erected at Little Britain, about fourteen miles down the river from Frog Plain; and in 1862, Rev. James Nisbet took charge of it until 1866, when he went to the Saskatchewan to form a mission there, and was succeeded by Rev. Alexander Matheson, who, in 1868, was replaced by Rev. William Fletcher. In 1866, a Presbyterian church was built at Headingly, and in 1868, another was opened in Winnipeg. There were then three regular churches namely, Kildonan (Frog Plain), Little Britain, and Headingly, and four preaching stations at Winnipeg, Poplar Point, High Bluff, and Portage La Prairie, respectively.

In 1868, the Wesleyans sent the Rev. George Young, a worthy and zealous clergyman, to Winnipeg, to establish a church there, and the Hudson's Bay Company, having donated a lot of land for the purpose, he, soon after his arrival, commenced the erection of "Grace Church," and in this way the Methodists gained a foothold in the settlement.



CHAPTER XXIV.

DISSATISFACTION IN RED RIVER SETTLEMENT.

ON the 18th September, 1868, Mr. John A. Snow, received instructions from Honorable Wm. McDougall, then Minister of Public Works, to proceed to the Red River Settlement, and commence the opening of a road from Fort Garry to the Lake of the Woods, on the route recommended by Mr. S. J. Dawson. At that time, Canada had no right or title in the territory, negotiations being then in progress for acquiring the same.

Messrs. Dawson and Hind, it is true, had explored and surveyed certain districts in behalf of Canada, but this was done with the knowledge and consent of the Hudson's Bay Company, but Mr. Snow was put to work without so much as saying "by your leave" to the chartered proprietors. It was done with the ostensible object of affording relief to the distressed settlers, but, as a matter of fact, there is nothing to show in the official correspondence that this feature of the undertaking was ever carried out. Mr. Snow says, that on his arrival in the settlement, he received the verbal consent of Governor McTavish to carry on the work, but in opposition to this, there appears the following paragraph in the report of Hon. Messrs. McDougall and Cartier, the delegates to England in 1868-9: "During the progress of negotiations, a formal complaint was made to the Colonial Secretary by the representatives of the company, against the Canadian Government,

for undertaking the construction of a road between Lake of the Woods and the Red River Settlement, without having first obtained the consent of the company."

It was, to say the least of it, somewhat premature on the part of Canada to take the step it did in face of the fact that negotiations for the purchase of the country were then pending. Only a few settlers were employed, the greater number being Canadians and Americans, and these latter it seems gave Mr. Snow a good deal of trouble on account of the lowness of the wages paid. On one occasion they seized and threatened to drown him unless he settled their demands, and referring to this matter in his report, Mr. Snow thus eulogizes the natives of the country: "I must, however, state, that the conduct of the French half-breeds employed, was, with very few exceptions, respectful, and their labor honestly performed, and that the disaffection that occurred during the summer among the men employed, was almost entirely confined to Canadians, and deserters from the American army."

In another report, he hits his assistant, Mr. Mair, rather hard, although he does not specially single him out by name. He says: "That letters written by Canadians here, which have appeared from time to time in the newspapers in Canada, have done harm I must admit, but I have had no hand in their production, they have been published in opposition to my wishes." There is no doubt Mr. Snow meant well, and tried to do his duty, but he unfortunately allowed himself to become allied to men who simply used him as a tool in the furtherance of their own ends. In February, 1869, a disturbance arose at Oak Point, the headquarters of the Lake of the Woods road, owing to a scheme having been entered into for the purpose of buying from the Indians their title to the lands, irrespecti-
ve

inters was to leave the settlement in small bodies as soon as their arrangements for the trip were completed, and at a given spot on the plains all would assemble for the purpose of forming camp.

When all were assembled, the roll was called, a council of the principal men held, and a chief and staff officers selected. There were captains and guides appointed, the latter being the standard-bearers of the party, and the hoisting of the flag was the signal each morning for a start to be made, and when it was taken down it signified an order to encamp.

Thus they travelled on, day after day, under a regular systemized plan, until the haunt of the buffalo was reached, and not only were they under command of competent men chosen from amongst themselves, but they framed laws which had to be observed by all. Of these latter, the following will serve as an example :

1. No buffalo to be run on the Sabbath day.
2. No party to fork off, lag behind, or go before without permission.
3. No person or party to run buffalo before the general order.
4. Every captain, with his men, in turn to patrol the camp, and keep guard.
5. For the first trespass against these laws, the offender to have his saddle and bridle cut up.
6. For the second offence, the coat to be taken off the offender's back, and be cut up.
7. For the third offence, the offender to be flogged.
8. Any person convicted of theft, even to the value of a sinew, to be brought to the middle of the camp, and the

out townships, and otherwise making a general survey of the country. Col. Dennis at once proceeded with his work, and, after consulting with the Crown Lands Department, submitted a memorandum on the subject, in which he intimated that there would probably be objection on the part of the half-breeds to any survey until their claims had been investigated and settled by the Dominion Government. Mr. McDougall, however, paid no attention to this warning, but, with the assent of the Privy Council, issued an order, in October, for the surveys to proceed. Col. Dennis accordingly went to work to carry out his instructions, and put men in the field for that purpose, but had hardly commenced operations when, on the 11th of October, a party of men, headed by Louis Riel, interrupted the survey, and threatened violence if it was not stopped. Dr. Cowan, the officer in charge of Fort Garry, then made every effort to induce Riel and his party to withdraw their opposition, but without success, and the Catholic clergy were even solicited to use their influence in the same direction. But the spirit of rebellion had been aroused, and could not be allayed by reasoning with the malcontents, and so the surveys and work on the Lake of the Woods road had to be abolished.

The opposition on the part of the French half-breeds was caused through distrust of the intentions of Canadians toward them, and this was brought about in a great measure by the acts of a few men in the settlement who, professing to have the cause of Canada at heart, were really more concerned in filling their own pockets. These men, as soon as the work of survey had commenced, staked out large claims of land for themselves, which they openly boasted would be theirs as soon as the Canadian Government secured possession.

opped from the mouth into the muzzle, and almost before the ball had time to reach the powder the piece would be fired, without putting it to the shoulder. In this way guns frequently exploded, and it was no uncommon thing to see a hunter without a thumb or some of the fingers, as a result of his carelessness.

These hunts were participated in by so many, and the slaughter was so great, that a serious decrease in the number of buffalo took place, which threatened the transport business of the country, pemmican and dried meat being the staple articles of food used by the freighters. The Indians, too, were most wasteful, and killed the buffalo often out of pure wantonness, when the carcasses would be left to rot on the plain, thousands of animals being sacrificed each year in this way, so that it is no wonder that to-day the buffalo is almost extinct.

About the year 1834, private individuals began importing goods from England on their own account, and for their own use, and gradually the system extended, until they who commenced importing for themselves soon enlarged the field of enterprise, and sent for goods on speculation. This for a time was countenanced by the Hudson's Bay Company, until agitation against exclusive trade in furs began, when they placed obstacles in the way of it, especially as the petty traders had taken part with the agitation. But this did not destroy the trade, for the petty merchants, being not altogether dependent on the English market, received a large portion of their supplies from the United States. Up to the time of the demonstration in favor of Sayer, in 1849, these petty traders confined themselves to buying and selling ordinary merchandise, the traffic in furs being forbidden, although undoubtedly

addressed a letter to Mr. McDougall, instructing him to proceed with all convenient speed to Fort Garry, to superintend the preliminary arrangements for the organization of the territories, and report to the Government at Ottawa on the following subjects:—Suitable names of persons to act on his council—the state of the laws—system of taxation in force—state of the Indian tribes—nature and amount of the currency—system of education—lands desirable to open at once for settlement—relations existing between the Hudson's Bay Company and the different religious bodies in the territories—officers employed by the Hudson's Bay Company, salaries, etc., and the names of those who should be retained: and, finally, Mr. McDougall was instructed to take steps for the extension of the telegraph system to the North-West.

Soon after his appointment, Hon. Mr. McDougall left for the North-West, via the United States, and on the 11th October, the Secretary of State for the Provinces transmitted by the hands of Mr. J. A. N. Provencher, the following documents:—

- 1st. A commission appointing him as Lieutenant-Governor.
- 2nd. A commission to Wm. McTavish and others, to administer the oaths of allegiance and office to Mr. McDougall.
- 3rd. A commission to same parties to administer oaths of office to all persons appointed to office in the North-West Territories.
- 4th. A commission appointing Mr. McDougall Deputy-Governor for signing marriage licenses in the North-West Territories.

All these commissions were to take effect from and after the day to be named by Her Majesty, in pursuance of the British North America Act of 1867, for the admission of Rupert's

and the North-West Territories into the Dominion of Canada.

On the 30th October, Hon. Wm. McDougall arrived at the B. post at Pembina, but in the meantime certain events taken place at Red River, which it will be necessary to notice.

In the fall of 1869, previous to the arrival of Mr. McDougall at Pembina, Hon. Joseph Howe, then Secretary of State for the Provinces, in company with Messrs. Turner and Sandford, of Hamilton, Ontario, paid a visit to the settlement, and on becoming known that so distinguished a party had arrived, several Canadians undertook to hoist a flag in honor of the occasion. There would not have been much harm in this, but the individuals in question had taken a British ensign, and had written on the words "Canada" across its face. There was no objection in this proceeding, which, in point of fact, was a pure imitation of the national emblem, and if the flag had been hoisted, under the existing state of feeling among the French half-breeds, there would probably have been a serious disturbance. Hon. Mr. Howe, however, was too experienced a man to countenance any such demonstration in his behalf, and indicated his wish, as soon as he heard of it, that the flag would not be hoisted, a circumstance, however, which turned his would-be friends into actual enemies.

Mr. Howe's reason for visiting the country was to see for himself what it was like, so that he might be the better able to judge when dealing afterwards with matters connected with it. He did not visit Red River to take part in any party then existing, or to propound the policy of the expected Governor. He came to see the people generally, and to gather facts about the country, the same as any private indi-

vidual might wish to do. Refusing all invitations of hospitality, he kept himself a good deal in his quarters at the hotel, receiving visits, but paying none. In company with Mr. W. E. Sandford (now Senator Sandford), he made a couple of trips up and down the Red and Assiniboia Rivers, in the course of which he became conversant, no doubt, with a good deal of the feeling then existing amongst the settlers in regard to the proposed change of government. But at that time there were only grumblings, and acts of hostility toward Mr. McDougall were not even suspected. Mr. Howe's well-known fighting qualities as a statesman, and the attitude he took in defence of the rights of his native province, no doubt gave the impression to some that his instincts were somewhat of a rebellious nature, and that, therefore, he sympathized with the French half-breeds in their complaints, but whatever may have been his inner feelings, his words to the people of Red River were those of assurance that Canada would do justice in all cases.

Soon after his departure, however, the troubles commenced by Riel, with six or eight followers, erecting a barrier across the road at Rivière Sale, for the purpose of preventing the entrance of the new Governor. Public and private meetings were then held among the French, in which Riel took a prominent part, the result being that three or four hundred men assembled at the barrier with the avowed object of keeping Mr. McDougall out at all hazards. A council was formed, of which John Bruce was made President, and Louis Riel, Secretary, the council chamber being at Rivière Sale, in the house of Rev. Mr. Richot.

The next step was the sending of a messenger to intercept Mr. McDougall, with the following missive, warning him not to attempt to enter the settlement:—

“ **MONSIEUR**—Le Comité National des Metis de la Rivière Rouge, intime à Monsieur W. McDougall l'ordre de ne pas entrer sur le Territoire du Nord-Ouest sans une permission spéciale de ce comité.

“ Par ordre du Président,

“ **JOHN BRUCE.**

“ **LOUIS RIEL, Secrétaire.**

“ Daté à St. Norbert, Rivière Rouge,

“ Ce 21e jour d'Octobre, 1869.”

The following day an affidavit was sworn to by W. Hyman before Dr. Cowan, at Fort Garry, which we will give in full as it fairly represents the action of the French at the time:—

RED RIVER SETTLEMENT. } W. HYMAN maketh oath, and saith :—
To wit :

During the afternoon of yesterday, some twenty men, or thereabouts, fully armed, made their appearance at the crossing of the Rivière Sale, on the road between here and Pembina, and other and smaller parties of men, also armed, kept coming in during the afternoon and evening, till as many as forty men were in the party.

That the said party of forty men are now billeted (or were when the deponent left home this a.m., at which time they had sent off some more men for more provisions) round in the adjacent houses.

That the men composing the said party, deponent believes, all belong to the parishes of St. Norbert, above mentioned, and St. Vital; and that the avowed object of their meeting in arms, and waiting at the said point, was to turn back the new Governor, Mr. McDougall, and not allow him to enter into the colony—one of the men, in conversation with the deponent, who was naturally anxious to find out the meaning of such an assemblage, with arms in their hands, told the deponent the above was their object; and further said, that if the Governor persisted in attempting to come farther than that point, i.e., the crossing of the Rivière Sale, they would shoot him.

That he was informed by this party, and believes the same (inasmuch as he saw a number of horsemen passing previously), that another party, mounted, supposed to consist of twenty men or more, are now in advance somewhere about Scratching River, accompanied by a man named Riel, whose intention is to stop the Governor, and to submit to him several

questions, or rather demands, in the event of refusing which he is warned not to proceed. There is a further and third party between the two points mentioned, which this deponent, from information received, believes to number forty men. Should the Governor persist in coming forward, notwithstanding repeated warnings, these parties will fall back on the reserve at the Rivière Sale; and then final action will be taken, as above mentioned, should he still further endeavor to force his way on to the settlement.

That, among other houses in the vicinity, where certain of the forty men at Rivière Sale are billeted, ten of the armed party find quarters at the house of the Curé Rev. Père Richot.

Finally, that the deponent seriously believes that the said men are truly in earnest; and that without prompt action being taken by the authorities, to avert the same, a serious calamity is about to ensue—in an outrage, which may be of a fatal character on the person of the honorable gentleman now about entering the colony to assume the charge of government.

(Signed), W. HYMAN.

Sworn before me at Fort Garry,)
this 22nd day of October 1869)

(Signed),

WILLIAM COWAN, J.P.

Mr. McDougall, while on his way across the plains, had met Mr. Howe, who told him that there was a certain amount of uneasiness among the Red River people, which would require delicate handling, but that he did not anticipate any armed insurrection, and therefore the newly appointed Governor was partly prepared for opposition, but not for the form which it assumed. After parting with Mr. Howe, he soon after met Mr. W. E. Sandford, who had deferred his departure a few days after Mr. Howe left, and he it was who first informed Mr. McDougall of the erection of the barrier at Rivière Sale. It appears that when Mr. Sanford was ready to leave the settlement, the barrier had been raised and he could not get through without a pass. He thereupon consulted with Mr. A. G. B. Bannatyne, a prominent resident, who sent for Riel, and, in a few words well chosen for the purpose, introduced Mr.

andford, and that gentleman, at the expense of a couple of bottles of champagne, succeeded in obtaining from the Secretary of the insurgents, the necessary authority to enable him pass the obstruction at Rivière Sale. He gave Mr. McDougall a very clear idea of the troubles he might expect ahead of him, a subject upon which he could speak from personal experience. At the solicitation of Governor Mactavish, he had delayed his departure from the settlement a few days, for the purpose of hearing the decision of the Council of Assinboia, about the French uprising, which they were then considering, and that word might be sent to Mr. McDougall, whom Mr. andford expected to meet on the way.

In the meantime, Col. Dennis had gone down the Red River to see what could be done with the Scotch and English settlers, to raise a force to escort the new Governor in, and the following, taken from his report, will show the state of feeling in the settlement outside the French. He thus describes the sentiments of the settlers: "We (the English settlers) feel confidence in the future administration of the government of this country, under Canadian rule; at the same time, we have not been consulted in any way, as a people, in entering into the Dominion. The character of the new government has been settled in Canada, without our being consulted. We are prepared to accept it respectfully, to obey the laws and to become good subjects: but when you present to us the issue of a conflict with the French party, with whom we have hitherto lived in friendship, backed up, as they would be, by the Roman Catholic church, which appears probable, by the course at present being taken by the priests, in which conflict, it is almost certain the aid of the Indians would be invoked, and perhaps obtained by that party, we feel disinclined to enter upon it,

"That said company have also assumed the power to enact tariffs, collect customs dues, and levy taxes against British subjects, and have enforced unjust and arbitrary laws, in defiance of every principle of right and justice.

"Your petitioners more especially pray the attention of your Honorable House to that region of country, designated as the Chartered Territory, over which said company exercises a sovereignty in the soil as well as a monopoly in the trade, and, which said company claims as a right that inures to them *in perpetua*, in contradistinction to that portion of country over which they claim an exclusive right of trade, but for a limited period only.

"Whilst your petitioners believe that this latter claim is founded upon a legal right, they humbly submit that a renewal of such licenses of exclusive trade is injurious to the interests of the country as monopolised and is contravention of the rights of the inhabitants of Canada.

"Your petitioners therefore humbly pray that your Honorable House will take into consideration the subject of how far the assumption of power on the part of the Hudson's Bay Company interferes with Canadian rights, and as to the necessity of more particularly declaring the boundaries of Canada on the westward, and on the northward, and of extending throughout the protection of Canadian laws, and the benefits of Canadian institutions.

"And your petitioners, as in duty bound, will ever pray.

"(Signed) THOMAS CLARKSON, *President*.

"CHARLES ROBERTSON, *Secretary*."

The instructions given to Chief Justice Draper, were as follow :—

SECRETARY'S OFFICE, TORONTO,

20th February, 1857

SIR—I have the honor, by command of His Excellency the Governor-General, to communicate to you, hereby, his Excellency's instructions for your guidance, in connection with your mission to England, as the special agent, appointed to represent Canadian rights and interests, before the proposed Committee of the House of Commons, on the subject of the Hudson's Bay Territory

I am to premise, however, that as it is impossible to anticipate the nature of the evidence that may be taken, or the conclusion that may be arrived at by the Committee, or the course which Parliament or Her Majesty's Government may think proper to adopt on the report of the committee, it is not in his Excellency's power to convey to you at present, any instructions of a precise or definite character.

much anxiety to hear that officer so express a belief that you would be inclined to act upon it ; although I cannot but add that I fully share in his feeling of mortification at being so circumstanced as to be constrained to **counsel** such a course.

I have not myself seen Colonel Dennis's communications to you on the subject of these unfortunate occurrences, but he has been kind enough to read them to some members of the Council, for the purpose of enabling them to judge of the accuracy and completeness of his information, and upon their assurance I have no hesitation in saying that the contents of the Colonel's communications to you, may be relied upon as conveying in the main a correct narrative of the occurrence to which they refer, and a fair representation of the popular sentiment throughout the settlement.

The question which now presses itself upon every mind is, what is to be done to secure your peaceable entrance into the settlement ? So far, all our expedients have failed ; and unless the efforts of a temporizing character, which are still being earnestly used for the dispersion of the malcontents, succeed, it is to be feared that your coming into the settlement, at the present moment, would not be free from considerable danger.

From Col. Denis's despatches and this letter, you will derive as full and accurate knowledge of the position of the affairs here, as I believe can very well be given in writing ; and having satisfied myself that you are acquainted with all the material circumstances of the case, I think that you are now in possession of the principal data for enabling you to determine the important question of your movements ; and I need not say that I shall most anxiously await your decision.

But without, of course, in any way meaning to prescribe the line to be pursued, I may be permitted to add that, to those who with myself have been deliberating upon the most advisable steps to be taken in circumstances of so embarrassing and so critical a nature, there have been suggested three courses for meeting the difficulty as it now stands.

The first is, that, there happily being among even the French half-breeds a considerable element of well-disposed persons, there should be carefully selected, from that section, a body of from twenty to thirty men, who, mounted and armed, should proceed to Pembina and escort you entirely clear from the roads on which the malcontents are known to have taken up their positions.

The second is, that of making a public call upon the whole loyal portion of the settlement to turn out in the cause of order, and to the number of say 300 unarmed, able-bodied men, if such a force could be mustered, proceed to Pembina and escort you into the settlement, by the usual route, whether the malcontents remain upon it or not.

And the third is, that you should remain at Pembina and await the issue of conciliatory negotiations, with the view of procuring a peaceable dispersion of the malcontents.

Now, with respect to the first of these courses, it is, in my opinion, open to the grave objection that even if it were to issue in your safe arrival amongst us, it would obviously involve a virtual acknowledgment of the ascendancy of these lawless people, and would have a direct tendency to inspire them with fresh courage in the prosecution of their designs; and besides, I am strongly of opinion that under present circumstances your personal safety could not be sufficiently provided for by the attendance of so small a body of men as that proposed—a body large enough to provoke a collision, but probably far from strong enough to meet it.

The second is one which, all along, the local authorities have been pondering, but one which, as in somewhat similar emergencies on former occasions, they have hitherto shrunk from adopting, partly from a misgiving as to the extent and the spirit of the response to such a call as that proposed, and partly also, but principally, from an apprehension of precipitating a collision between different sections of the people, which might plunge, not only the settlement, but the whole territory into all the disasters of a war of races and religions—a war in which the legitimate object, for which it had been begun, would probably soon be lost sight of, and passion and prejudice alone animate the minds of those engaged in it.

To the council and myself it appears that under the present circumstances the third proposal is the only one that can be regarded as prudent or practicable; and it is, therefore, our opinion that you should remain at Pembina, and await the issue of conciliatory negotiations, in the hope of procuring a peaceable dispersion of the malcontents.

I have only to add that although this letter proceeds ostensibly from myself, it embodies the views of the Council of Assiniboine, and that, at a meeting of the council to-day, held for the express purpose, it was ~~un~~ ^{un}animously adopted as the communication which I should immediately make to you.

Earnestly hoping that ere long some peaceable solution of all ~~the~~ ^{these} difficulties may be arrived at,

I am, my dear sir,

Yours faithfully,

W. MACTAVIS ~~W. M.~~



CHAPTER XXV.

OUT-BREAK OF THE FRENCH HALF-BREEDS.

MR. J. A. N. PROVENCHER, whom we mentioned in the last chapter as having been sent by Mr. McDougall to Fort Garry, with a message to Governor Mactavish, was promptly stopped at the barrier, by the French, and turned back to Pembina. Capt. Cameron, who came with Mr. McDougall's party, also attempted, about the same time, to gain entrance to the settlement, but he, too, was sent to the right-about, a guard of 25 or 30 men accompanying him and Provencher to the boundary line, and this same guard, under command of a French half-breed, named Lepine, conducted Mr. McDougall and party from the H. B. Post into the United States territory, and warned them not to enter the settlement again. Col. Dennis, who had joined Mr. McDougall, then went to work with energy, and arranged comfortable quarters for his chief and his followers, close to the American Customs House.

Col. Dennis, however, before leaving the settlement, committed an act which might have led to very serious consequences. Under cover of continuing the surveys in the direction of Portage la Prairie, he sent a number of his men in that direction, with instructions to raise, if possible, a force to bring Mr. McDougall, but fortunately the attempt did not succeed, and bloodshed was avoided.

On the 19th November, Mr. McDougall received a despatch

from the Secretary of State at Ottawa, approving of the course he had pursued in remaining at Pembina, and stating explicitly as follows:—"As matters stand, you can claim or assert no authority in the Hudson's Bay territory until the Queen's Proclamation, annexing the country to Canada, reaches you. * * * * If Governor Mactavish either declines to admit you, or is powerless to give you safe conduct, stay where you are until further advised. You had better inform Governor Mactavish that you are only proceeding to Fort Garry on the assumed consent of the Company." In the meantime, however, Mr. Mactavish had written Mr. McDougall, advising him, in the interest of peace, to return to Canada, as his presence at Pembina was likely to cause the perpetuation, and possibly aggravation, of the disturbances, at the same time adding, that he might postpone his departure for a few days, in the hope of a turn of affairs for the better. Had Mr. McDougall then acted upon the advice of Mr. Mactavish, we might not have had to chronicle the series of unfortunate events that followed, and he would probably have filled the position of Governor. But he chose to follow the counsels of supposed friends in the settlement, and remained at Pembina only to beat an ignominious retreat in the end. In fact, there was no enthusiasm on the part of the Red River people in regard to his entry into the country, and in making him believe the contrary, his friends misled him.

On the 2nd November, Mr. McDougall wrote a singular letter to Governor Mactavish, reminding him that he was responsible for the preservation of the public peace, acknowledging at the same time that he (McDougall) had no power to assume or exercise the powers of government until Her Majesty's Royal Proclamation permitted him to do so. and

fact should be remembered in the light of after events. At the same time, however, a number of Canadians residing in the settlement, sent an address to Col. Dennis, offering a call to proceed to Pembina, and escort Hon. Mr. McCall into the country. Shortly after this, the Secretary of State at Ottawa wrote to Mr. McDougall, that Her Majesty's Government had been made acquainted with the facts relating to the opposition of the French half-breeds, and at the same time instructing him to avoid all collision with the insurgents, and any violation of the neutrality laws of the United States, and thus, with his explicit instructions on the one hand, and the flattering offers of his friends on the other, Mr. McDougall may truly be said to have been on the horns of a dilemma.

The French, during this time were carrying things with a high hand, which was not conducive to the success of their enterprise. Parties were stopped at the barrier, and the mails delayed, thus inconveniencing all classes of the community, and on the 2nd November, it was decided by Riel (who was actually the head of the uprising, Bruce being only nominally so), that Fort Garry should be taken possession of. Accordingly that day, he, with a party of his followers, made their appearance before the gate of the fort, and on being asked their business, said that they had come to guard the place. Dr. John, the officer in charge, protested strongly against the proceeding, but Riel paid no attention to his remonstrances, and, setting his guards, took command of the fort. He next made a visit to the *Nor'-Wester* office, and requested Mr. Bown, the editor, to print off some copies of a notice to the people of the River, which that gentleman flatly refused to do. Thereupon Mr. Bown was made a prisoner in his own office, while a number of compositors, engaged for the purpose, printed off the following document:—

PUBLIC NOTICE TO THE INHABITANTS OF RUPERT'S LAND.

The President and Representatives of the French speaking population of Rupert's Land, in council, (the invaders of our rights being now expelled), already aware of your sympathy, do extend the hand of friendship to you, our friendly fellow-inhabitants, and in doing so invite you to send twelve representatives from the following places, viz. :—

St. Johna	-	-	-	1	St. Clements	-	-	-	1
Headingly	-	-	-	1	St. Margarets	-	-	-	1
St. Marys	-	-	-	1	St. James	-	-	-	1
St. Pauls	-	-	-	1	Kildonan	-	-	-	1
St. Andrews	-	-	-	1	St. Peters	-	-	-	1
Town of Winnipeg				-	-	-	-	-	2

in order to form one body with the above council, consisting of twelve members, to consider the present political state of this country, and to adopt such measures as may be deemed best for the future welfare of the same.

A meeting of the above council will be held in the Court House, at Fort Garry, on Tuesday, the 16th day of November, at which the invited representatives will attend.

By order of the President,

Winnipeg, Nov. 6th, 1869.

LOUIS RIEL, Secretary.

A rumor now reached the ears of the insurgents, that Mr. McDougall, having brought with him a quantity of arms from Canada, intended running them into the settlement to be used by the Canadian party, and this was seized upon as a pretext by Riel to examine every cart at the barrier before allowing them to pass in, a proceeding that annoyed and inconvenienced all the traders in the country, and caused a good deal of ill-feeling toward the French. It was also an unfortunate circumstance that arms should be allowed to form part of Mr. McDougall's baggage.

Soon after the taking of Fort Garry, Governor Mactavish wrote to Mr. McDougall, informing him of what had taken place, and received a reply from which the following extract is taken :—

"I wrote you two letters, both in one envelope, detailing the



"The company, beyond all question, are deeply concerned in the matter. Half-breeds themselves declare that they have received assistance. * * * Issue your proclamation, and it will be responded to by 500 men."

Mr. McDougall might well have exclaimed, "Preserve me from my friends," but it would seem that he was in active correspondence with these parties, through Colonel Dennis, for we find, in a letter addressed to that gentleman the following remark:—"We will have a strong protest in to the authorities here at once against their inaction, and embodying the suggestions made in the letter." The fact of Colonel Dennis having acted with the authority of Mr. McDougall, and intrigued with parties in the settlement to interfere with Mr. Mactavish in the discharge of his duties, was, to say the least of it, undignified on the part of an in-coming governor.

The protest mentioned in the letter to Col. Dennis was put in, and the *Nor'-Wester* made known the fact in the most offensive manner, under the following heading:—"The Crisis." "Loyalty Triumphant." "The Governor's Proclamation." The protest was then given, at the end of which appeared the following words: "*Here is the Proclamation drawn from Governor Mactavish on the present state of affairs.*"

Governor Mactavish, however, did not view matters from the same stand-point as Mr. McDougall, for, in a letter to the latter, he says:—"It appears that you are under the belief that a Proclamation from this government, explaining the late Imperial Act regarding the territory, and warning the people of the consequences of steps tending to impede any action that might be taken under its provisions, would have a salutary effect in checking the present unlawful movement on the part of the French population. It is difficult, if not impossible, to

say with any degree of certainty, how far that measure might have produced such a result; but if due consideration be given to the peculiar circumstances in which the local authorities here stood, there will, perhaps, appear to be but little ground for surprise at a measure of that kind not having been adopted. The Act in question referred to the prospective transfer of the territory; but up to this moment we have no official intimation from Britain, or the Dominion of Canada, of the fact of the transfer or of its conditions, or of the date at which they were to take practical effect upon the government of this country."

Governor Mactavish, however, knowing that a convention of delegates from all parts of the settlement had been called to meet on the 16th November, decided to issue a Proclamation, and entrusted it to his secretary, Mr. Hargrave, to be read at that meeting. On the day appointed, twenty-four delegates appeared, and as they entered the Court House at Fort Garry a *feu-de-joie* was fired by the French half-breeds, and a salute of 24 guns from the walls of the fort. The convention consisted of the following members:

ENGLISH.	FRENCH.
Town of Winnipeg, Henry McKenny, H. F. O'Lone.	St. Francois Xavier, Francois Dauphinais, Pierre Poitras, Pierre Lavieller
Kildonan, James Ross.	St. Boniface, W. B. O'Donohue.
St. Johns, Maurice Lowman.	St. Vital, Andre Beaucheman, Pierre Paranteau, sr.
St. Pauls, Dr. Bird.	St. Norbert, Louis La Serte, Baptiste Tournon.
St. Andrews, Donald Gunn.	St. Anns, Charles Nolin, John Baptiste Perrault.
St. Clements, Thos. Bunn.	
St. Peters, Henry Prince, (Indian Chief of the settlement).	
St. James, Robert Tait.	
Headingly, William Tait.	
St. Anns, Geo. Gunn.	
Portage La Prairie, John Garrioch.	
	JOHN BRUCE, <i>President</i> .
	LOUIS RIEL, <i>Secretary</i> .

At the opening, Mr. Hargrave presented the Governor's Proclamation to Mr. Henry McKenney and requested him to read it aloud to the members present. The following is the document in full:—

WHEREAS I, William Mactavish, Governor of Assiniboia, have been informed that a meeting is to be held to-day of persons from the different districts of the settlement, for the ostensible purpose of taking into consideration the present political condition of the colony, and for suggesting such measures as may appear to be best adapted for meeting the difficulties and dangers connected with the existing state of public affairs. And whereas I deem it advisable at this conjuncture to place before that meeting, as well as before the whole body of the people, what it appears necessary for me to declare in the interests of public order, and of the safety and welfare of the settlement.

Therefore, I notify all whom it concerns, that during the last few weeks large bodies of armed men have taken up positions on the public high road to Pembina, and, contrary to the remonstrances and protests of the public authorities, have committed the following unlawful acts: First, they have forcibly obstructed the movements of various persons travelling on the public highway, in the peaceful prosecution of their lawful business, and have thus violated that personal liberty which is the undoubted right of all Her Majesty's subjects. Secondly, they have unlawfully seized and detained on the road at La Rivière Sale, in the parish of St. Norbert, goods and merchandise of various descriptions, and of very considerable value, belonging as well to persons coming into the colony as to citizens already settled here, and carrying on their business in the settlement, thereby causing great loss and inconvenience, not only to the owners of those goods, but, as has formally been complained of, also to the carriers of the same, and possibly involving the whole colony in a ruinous responsibility. Thirdly, they have unlawfully interfered with the public mails, both outgoing and incoming, and by thus tampering with the established means of communication between the settlement and the outside world have shaken public confidence in the security of the mails, and given a shock to the trade and commerce of the colony, of which the mischievous effects cannot now be fully estimated. Fourthly, not only without permission, but in the face of repeated remonstrances on the part of the Hudson's Bay Company's officer in immediate charge of Fort Garry, they have, in numbers varying from about sixty to one hundred and twenty, billeted themselves upon that establishment, under the plea of protecting it from a danger which they allege was known by themselves to be imminent, but of which they have never yet disclosed the particular nature.

have placed armed guards at the gates of an establishment, which, by stick and stone of it, is private property, in spite of the most dis-
turbances and protestations against such a disregard of the rights of property ; they
have taken possession of rooms within the Fort, and although they have
as yet committed no direct act of violence to person or property, be-
d what has been enumerated, yet by their presence in such numbers,
with arms, for no legitimate purpose that can be assigned, they have cre-
ated a state of excitement and alarm within and around the Fort, which
seriously interferes with the regular business of the establishment.
Recently, a body of armed men have entered the Hudson's Bay Company's
post at Pembina, where certain gentlemen from Canada with their fami-
lies were peaceably living, and under threats of violence have compelled
them to quit the establishment at a season of the year when the rigors of
winter were at hand, and forced them to retire within American territory ;
and in the last place, they have avowed it as their intention, in all those
lawful proceedings, to resist arrangements for the transfer of the gov-
ernment of this country, which have been made under the sanction of the
Imperial Parliament, and thus virtually set at defiance the Royal author-

Instead of adopting those lawful and constitutional means, which,
under the enlightened rule of Her Most Gracious Majesty our Queen, are
sufficient for the ultimate attainment of every object that rests upon rea-
son and justice, the persons who have been engaged in committing these
unlawful deeds have resorted to acts which directly tend to involve them-
selves in consequences of the gravest nature, and to bring upon the colony
and the country at large the evils of anarchy, and the horrors of war.
Therefore, in the interests of law and order, in behalf of all the securities
we have for life and property, and, in a word, for the sake of the present
and the future welfare of the settlement and its inhabitants, I again earn-
estly and emphatically protest against each and all of these unlawful acts
and intents. I charge those engaged in them, before they are irretriev-
ably and hopelessly involved, immediately to disperse themselves, and
peaceably depart to their habitations, or to their lawful business, under
the pains and penalties of the law ; and whatever in other respects may
be the conclusions of those who meet to deliberate upon the present criti-
cal and distracted state of public affairs, I adjure you as citizens, having the
interests of your country at heart, to ratify and proclaim, with all the
right of your united voices, this public notice, and protest and so avert
from the country a succession of evils, of which those who see the begin-
ning may never see the end. You are dealing with a crisis, out of which
may come incalculable good or immeasurable evil ; and with all the weight
of my official authority, and all the influence of my individual position,
I do finally charge you to adopt only such means as are lawful and con-
stitutional, rational and safe.

Given under my hand and seal, at Fort Garry, this sixteenth day of November, 1869.

W. MACTAVISH,
Governor of Assiniboia.

In referring to the above Proclamation, Mr. McDougall thus wrote to the Secretary of State at Ottawa, on the 25th November :—"I have received a private note from Governor Mactavish, informing me of his having issued a Proclamation, more, he observes, in deference to my opinion than from any expectation of a favorable result." This, indeed, was the fact of the case; both Governor Mactavish and Judge Black being of the opinion that no good would ensue from issuing the document, but having been importuned by Mr. McDougall so often on the subject, they determined to follow his suggestion. As it turned out, Governor Mactavish and Judge Black understood the character of the people they had to deal with better than the man who set himself up as their adviser.

When the Proclamation was handed to Mr. McKenney, the French delegates at the convention at once objected to its being read, while the English members insisted upon hearing it. This caused a wrangle, and, from the very outset of the meeting, a feeling of antagonism between the two parties was thus created. Had no Proclamation been presented to disturb the deliberations of the assembly, there is no saying how much good might have resulted from the convention. But as it was, all chance of a union of the two parties was broken before even their deliberations commenced.

The *Nor'-Wester* was not alone in the newspaper field of the settlement, at this time, Mr. Wm. Coldwell, whom we had occasion to refer to in a previous chapter, having brought in a plant, and started the *Pioneer*. To this paper, Governor Mactavish sent his Proclamation for publication, but the *Nor'-*





Sir John Young.
(LORD LISGAR)

7. 1996

er, having surreptitiously procured a copy, printed it in a related form, under the head-lines we have already mentioned.

The "Friends of Canada," however, were not even satisfied when the Proclamation was issued, for we find them writing Mr. McDougall, after its appearance, as follows:—

"We have no faith in the sincerity of that Proclamation, we believe that the pressure brought to bear upon them here, the loyal party, was such that they could no longer resist, their own conviction of the utter helplessness and impossibility of further resistance compelled them to issue it, as much for their own safety, as for the continuance of their authority, if any portion remains."

Mr. McDougall, taking his cue from this letter, wrote as follows to Mr. Joseph Howe, the Secretary of State, on the 1st November:—"The confirmed belief of every person I have seen, or whose testimony has reached me, is that the Hudson's Bay Company's employés, with scarcely an exception, are either actively or tacitly encouraging the insurrection."

It was the prevalence of this belief that determined me to force the authorities into a public declaration of some kind, which would dispel this illusion—if such it should prove to be—compel them to show their hand as abettors of the insurrection. The 'appeal' of the loyal inhabitants, *who had previously opened correspondence with me*, was the last screw turned, and seems to have accomplished the purpose." Mr. McDougall, at the same time, insisted that, based upon information received by him, the company being aware beforehand of the insurgents' intention to take possession of the fort, they did not take steps to prevent it. The absurdity of this statement should have occurred to him before he made it, as there

was nothing to shew that the company would gain anything by such action.

The Hudson's Bay authorities were in a decidedly peculiar position. On the one side, they were accused by the Canadian party of playing into the hands of the French, and on the other, the half-breeds suspected them of being in collusion with the Canadians, so that Mr. Mactavish occupied a very trying position, especially as the English and Scotch settlers were inclined to stand altogether aloof in the matter.

The next step taken by Riel was to seize the furniture intended for the use of Mr. McDougall, at Government House, while it was in transit from Pembina to the settlement, and he afterwards appropriated it to his own use, and that of his followers, in furnishing their quarters gorgeously in Fort Garry.

The convention of the 16th sat until the evening of the 17th, and then adjourned till the 22nd, without having made any headway, and it then appeared as if the English and French would be unable to come to any mutual understanding. On the 18th, the last General Quarterly Court, under the Hudson's Bay Company's government, sat, Judge Black presiding, and the most important case was that of Mr John A. Snow against his men (Canadians) for assault. Two of the accused were fined four pounds each, and one of them, Scott, who was afterwards shot by Riel, is said to have exclaimed, on hearing the verdict, that "it was a pity they had not ducked Snow, for then they would have got their money's worth."

Riel now placed guards in the town of Winnipeg, who patrolled the streets with arms, evidently on the look-out for any rising among the few Canadians residing there, and this action was brought about by the numerous secret meetings held by the so-called loyal party at that time.

we have referred to the repeated assertions on the part of McDougall and his friends, that the Hudson's Bay Company were in sympathy with the insurgents, but the following letter, addressed to the Secretary of State at Ottawa, will show how much truth there was in these statements :

“ HUDSON'S BAY COMPANY'S OFFICE,

MONTREAL, 24th Nov., 1869.

The Honorable the Secretary of State for Canada.

SIR—I have to-day received, from the Hudson's Bay Company, London, an extract of a letter from Governor Macdougall, dated Fort Garry, 12th October, and have now the honor of transmitting it to you. In doing so, I am directed by the Governor and committee to state that the company are anxious to afford all the assistance in their power in inducing the Red River people to allow the surveys to be proceeded with, and to use their influence in any other manner, with the view of assisting the authorities at Red River to make their arrangements for the government of the country.

And in view of the more serious aspect which affairs at Red River have recently assumed, I beg further, on behalf of the company, to offer the assurance that their Governor, factors and officers generally, will use their influence and best efforts to restore and maintain order throughout the territory.

“ I have, etc., etc.,

“ DONALD A. SMITH.”

In the meantime, the task of governing the country remained in the hands of the Hudson's Bay Company, the revenues being derived chiefly from customs duties, which were levied at a uniform rate (spirituous liquors excepted) of four per cent. on the net invoice price of the goods. The exceptions to this rule were articles designed for Indian missions, stationery, bar iron, steel, scientific instruments, agricultural implements, seeds, roots, plants, tombstones, grindstones, etc., etc., and there was no export duty. Four stations for the collection of the duties were established at Point Coupée, Upper and Lower Fort Garry, and White Horse Plains, and the Hudson's Bay Company paid duty, as well as the settlers, on all merchandise used by them in the settlement. The duty on spirituous liquors was one shilling sterling per gallon and once a year, generally in December, the magistrates sat as a board, for the purpose of granting licenses to distil and retail liquor, the limit being any quantity less than five gallons, and the cost of the license ten pounds. Any person convicted of selling without a license was fined ten pounds, and the objection of a majority of his twelve nearest neighbors was fatal to any candidate for a retail license. No liquor was allowed to be sold before six o'clock in the morning and after ten at night, or on Sunday, and selling intoxicants to Indians was prohibited under heavy penalties.

The public expenditure was chiefly for the maintenance of roads and building of bridges, the work being in charge of ten superintendents in different parts of the country, and two surveyors to fix boundaries, survey lots, and arbitrate in cases of dispute relating to land matters.

Laws existed for the prevention of prairie fires, against damages done by cattle wandering at large, for the regulation

cure their peaceable dispersion, and that Mr. Dease report Mr. Mactavish, on or before Thursday next, as to their success or otherwise." Messrs. Dease and Goulet were unsuccessful in their mission. All classes held that they had not been treated fairly in the negotiations for the transfer, in not having been consulted, and that they had been sold as mere pawns in the bargain. If Riel had adopted more moderate measures, and had refrained from interfering with the liberties of the settlers, there is reason to believe that he would eventually have carried the whole settlement with him in his opposition to the mode of government proposed for the country under Mr. McDougall.

But unfortunately for him and his cause, he had undertaken a task for which he was unfitted. Young, headstrong, impetuous and inexperienced, he adopted measures which antagonized the English-speaking part of the settlement towards him, and he was, therefore, obliged to fight the battle by the aid of his own people, an exceedingly difficult and dangerous matter.

Before any rising took place, Riel had gone about, visiting the English settlers, asking them to take some united action, in company with the French, to protest against the policy of the Canadian government, but he had met with no success. He was then, taunted by the vain boastings of irresponsible Canadian agitators, as to what Canada would do to keep down the natives, and excited by the actions of these same men, in claiming, beforehand, large tracts of land, he and his followers took the initiative in rebellion. The fact, too, that Mr. McDougall was known to be in sympathy with the irresponsible Canadian element in the country, and on close terms of intimacy with some of the leaders, led the French to commence by vis-

iting on his head their first marks of displeasure. They were determined to prevent his acquiring the least semblance of authority in the settlement, as the surest means of obstructing arrangements for a change of government, until such time as they were secured in their rights.

While matters were in this condition, and every effort being made to keep him out of the settlement, Mr. McDougall, among other things, engaged actively in a correspondence with Mr. Z. G. Simmons, the President of the North-Western Telegraph Company, with the view of preparing for the construction of a line from Fort Garry to connect with the telegraph systems of the United States and Canada, and a proposition to go on with the work was accepted by the American company, as will be seen from the following extract from a letter written by Mr. Simmons, on 27th October, 1869.

"I have assumed that it (the proposition) would be satisfactory, and immediately ordered the purchase of poles, and have now to report the contracting of all that may be necessary to complete the line to Pembina. For the balance of the distance, we will depend on getting the timber nearer. I trust we shall reach you at Fort Garry, by telegraph, in the fall of 1870, and if the railroad should be completed as soon as contemplated, it will be early in the fall."

On the 22nd November, Mr. Bown had a petition prepared and handed round, for the purpose of upsetting the appointments of Messrs. H. McKenney and H. F. O'Lone, as delegates to the convention, and Mr. A. G. B. Bannatyne, the postmaster of the town, wrote the following letter, giving his reason for refusing to sign the document.

A petition, written apparently by Dr. Schultz, signed principally by a number of strangers and others in the settlement, and headed by James

ewart, has just been brought me by Mr. Bown, with a request I should sign it. I have refused to sign this document, because those engaged in setting it up have been to a very great extent the cause of all our troubles. The course they have adopted in their relations with the Canadian Government and its officials is well-known to all here; and their connection with the latter has not been fruitful of good to the country. The petition has been written by one who has broken our laws, headed by one who has broken our laws, and handed me by one who has broken our laws. I could not consent to mix myself with such people, and have on these grounds refused to sign it. Reports have of late been industriously circulated, reflecting both on my private and public character as postmaster. It has been said I have assisted to raise the French half-breeds to resist Mr. McDougall, and assisted by providing provisions, and otherwise, to maintain the prevailing excitement among them. The truth of these slanderous rumors I totally deny. I coincide with the party of action so far as they endeavor to obtain their and our rights—that I ever advised or encouraged them in any way to take up arms, or to perform any illegal act, is false, and the man who utters such statements is false too. With regard to my character as postmaster, the statements made against me are groundless, and any man who professes to have proof to the contrary should now come forward and produce it. I can solemnly swear that no letters have been tampered with so far as my post office is concerned; and although the mail bags were detained a couple of times for an hour or two, no man's letters were tampered with. My earnest wish is that the Canadian government should be established as early as possible; only let us have our elective and other acknowledged rights. I have tried for this from the first, and will continue to do so. My own desire is that the French portion of the settlement should now speak out their minds on what they deem justly due them in the new order of the government. This once obtained by the settlement generally, and found to be what every free people has a right to expect, my belief is that those who have, as it were, fought our battles (although in a different way than we have done), will have the thanks hereafter of the people in the settlement and their posterity; and that their wishes will be the wishes of the rest of the settlement; and that all will combine in demanding our rights—the unassailable rights of a free people, worthy of giving a thorough and complete voice in the management of their own affairs.

A. G. B. BANNATYNE.

Winnipeg, Nov. 22, 1869.

The above letter, and another, prepared, it is said, by Mr. D. Grant, on Col. Dennis's staff, on being presented to the Con-

vention, were suppressed, as calculated to inflame rather than to soothe the excitement prevailing

The adjourned meeting of delegates took place on the day appointed (22nd November), but, as was expected, there was no unanimity among them. A proposal was made by some of the English to admit Mr. McDougall, in order to place their grievances before him, whereupon Riel excitedly declared that Mr. McDougall would never enter into the settlement, either as a private individual, or as Governor of the country. This declaration created a wider breach than ever in the convention, and when, on the next day, it was discovered that Riel had taken the extraordinary step of placing Governor Mac-tavish, Dr. Cowan, and others, under arrest, and holding full possession of Fort Garry, the English delegates hesitated about attending the meeting. They finally decided to do so, however, and then Riel showed his hand by proposing to form a Provisional Government to treat with Canada, and asked the English and Scotch to join him. This, the delegates representing the latter could not agree to do without first consulting the people who elected them, and the convention was therefore, further adjourned until the 1st December.

In the meantime, the French allowed themselves to be advised and directed to a certain degree by a Col. Stutzman, an American subject living at Pembina, which had a bad effect on their cause in the eyes of the rest of the settlement. This individual had the hardihood to draw up an address on behalf of the Indians living near the international boundary line, and endeavored to persuade them to present it to Mr. McDougall, but the Indians were better advised, and declined to do so.

Riel has been credited with wishing to form a union with

the English-speaking settlers, and there is little doubt that at first he was sincere in his desire, but he now committed one act after another calculated to drive them away instead of attaching them to his cause. He and his followers undertook to overthrow the Hudson's Bay Government at one sweep by seizing all the books relating to the affairs of the settlement, and taking possession of the office of the collector of customs. These acts decided the people in the English and Scotch settlements not to send back their delegates to the convention on 1st December, and for a time all hope of a union of the two sides was at an end.

Riel next seized a lot of Canadian Government stores, warehoused with Dr. Schultz, and, on the strength of this, an attempt was made to raise a force of men to resist the seizure, a scheme, which we regret to have to say, Mr. McDougall was concerned in, although his instructions were explicit not to bring about a collision among the people. Writing to Hon. Joseph Howe about that time, he says: "They cannot eat them up at once, and if measures I have taken to organize an armed force to seize Riel and his colleagues, and disperse the rank and file of his followers, should prove successful, the provisions will soon again be in our possession."

Fortunately, however, for the peace of the settlement, the armed force did not materialize at that time, although it came near doing so, and an effort was made by some friends of order to induce the French to consent to a medium course, viz., "That the Hudson's Bay Company should continue on in its government of the country until the settlers came to some arrangements with Canada, and that a committee should then be formed of members chosen from amongst the people to treat with Mr. McDougall, on behalf of the Canadian Government,

or with the Dominion direct." This proposition, on being made to the French, was at first favorably entertained by them, and Riel, in the presence of three residents of Winnipeg, Messrs. A. G. B. Bannatyne, H. S. Donaldson, and Oscar Malmaros (the American Consul), gave an assurance that the French would meet the English on equal terms in forming an executive council to lay the claims of the people before Canada, the Hudson's Bay Company to remain the Government of the country, in the meantime. Messengers were then dispatched to the various English parishes to sound them on the new turn affairs had taken, and when it was discovered that they also favored the proposition, efforts were made to call the delegates together again on the 1st. December.

But in the meantime, dame rumor was busy, and all sorts of reports were flying about, one of which was to the effect that the Canadians in Winnipeg were preparing to make a dash upon Fort Garry, and capture it from the French. Although there was no truth in this, and other rumors going the rounds, they served to unsettle public feeling, until finally Riel changed his mind, and would not agree to allow the Hudson's Bay Company to continue the government.

This changed the whole aspect of affairs, as the English people were sending their delegates to the convention on the understanding that the Company should remain in power, until such time as an agreement was reached between the people of the settlement and the Dominion. But at a public meeting in Winnipeg, about this time, Riel, who attended it, said that the idea of having a Provisional Government was simply because the Hudson's Bay Company was too weak, and that there was no desire on the part of the French to coerce the rest of the settlement into their views. The English delegates then as-

sembled together, and were in the midst of discussing whether to attend the convention, when word was brought in that Colonel Denuis had arrived in the settlement from Pembina with the Queen's Proclamation in his pocket, and Mr. Robert Tait soon after appeared with the startling intelligence that he had a copy of the document in his possession. At that time only one man, Mr. Henry McKenney, doubted the authenticity of the Proclamation, and as the French council was then in session, it was resolved to send Mr. A. G. B. Bannatyne for the purpose of placing the document before them. This was done, and the greater part of the French seemed inclined to regard the event in a favorable light, so much so that Mr. Bannatyne sent the following note to the English delegates, who were waiting to hear the result of his mission.

To Dr. Bird, Mr. Bown, W. and R. Tait, Mr. Gunn, and all the English delegates—I have shown the Proclamation to all the French delegates who are here now ; they will be glad if you come up ; all are quiet and pleased, and I believe much good can be done by coming here at once.

Yours sincerely,

A. G. B. BANNATYNE.

Thereupon the English delegates in accordance with the above note, proceeded immediately to Fort Garry, and remained in council with the French until 4 p.m., when the meeting adjourned till 6 p.m. In the meantime, copies of the Proclamation (which will be found in the appendix), written out hastily by zealous volunteers, were displayed in various parts of the town of Winnipeg, and throughout the settlement.

At 6 p.m. the convention again assembled, and the French presented the following " Bill of Rights," which was practically agreed to by both sides as the basis of a joint claim to be presented to Canada :—

1. **The right** to elect our own Legislature
2. **The Legislature** to have power to pass all laws local to the territory, over a veto of the Executive, by a two-thirds vote
3. **No Act** of the Dominion Parliament (local to this territory) to be binding on the people until sanctioned by their representatives
4. **All sheriffs, magistrates, constables, etc., etc.,** to be elected by the people—A free homestead pre-emption law.
5. **A portion** of the public lands to be appropriated to the benefit of schools, the building of roads, bridges, and parish buildings.
6. **A guarantee** to connect Winnipeg by rail with the nearest line of railroad—the land grant for such road or roads to be subject to the Legislature of the territory.
7. **For four** years the public expenses of the territory, civil, military, and municipal, to be paid out of the Dominion treasury
8. **The military** to be composed of the people now existing in the territory
9. **The French and English language** to be common in the Legislature and Council, and all public documents and Acts of the Legislature to be published in both languages.
10. **That the Judge** of the Superior Court speak French and English.
11. **Treaties** to be concluded and ratified between the Government and the several tribes of Indians of this territory, calculated to insure peace in the future.
12. **That all privileges, customs, and usages** existing at the time of the transfer be respected.
13. **That these rights** be guaranteed by Mr. McDougall before he be admitted into this territory.
14. **If he have not the power** himself to grant them, he must get an Act of Parliament passed, expressly securing us these rights and until such Act be obtained, he must stay outside the territory.
15. **That we have** a full and fair representation in the Dominion Parliament.

It was then proposed to send delegates from the convention, consisting of two from the French side and two from the English, to confer with Mr. McDougall at Pembina, but Riel arose and said the bill of rights would have to be secured to the people, and that until Mr. McDougall could produce such an act, he would not be allowed to enter, as no written or verbal

nise from him on the subject would be satisfactory. This an end to the delegation to Pembina, and the meeting after broke up, without accomplishing any practical result.

It may be well now to ascertain how the so-called Queen's proclamation of the 1st December came to be issued. It will be remembered that the "Friends of Canada" were continually urging upon Mr. McDougall to issue his proclamation, while instructions were to await the actual transfer of the territory. On the 29th November, he appears to have given way to the importunities of his adherents in the settlement, and we find him writing to Hon. Jos. Howe as follows :

I have the honor to report that I am still at Pembina, in the territory of the United States, and unable, in consequence of the continued occupation of the road by armed men, to proceed to Fort Garry. I have further to report that I have not received any instructions for my guidance on or after the day of the transfer of the territory to Canada, nor any copy of the order in council, which has no doubt been passed to effect. In these circumstances, I am compelled to act upon the general orders and directions of my commission, and of the Acts of Parliament, Canadian and Imperial, which seem to bear upon the case. *I have accordingly prepared a Proclamation, to be issued on the first day of December, containing so much of the several Acts of Parliament as seemed necessary to establish the requisite authority ; and stating, by way of recital, the fact of the transfer by the Hudson's Bay Company, acceptance by Her Majesty, and the transfer to Canada, from and after the 1st December, A D. 1869.* These

I gather from the newspapers, from a private letter to me of the Acting-Governor of the company's, and my own knowledge before I left Winnipeg, that the 1st December had been agreed upon as the date of the transfer. In the present state of affairs in the settlement, it is of the utmost importance to announce the transfer in the most authentic and plain manner possible, in order to give confidence, and the protection of the territory, to the act of the loyal and well-disposed, and to put the malcontents and their American advisers and sympathisers publicly and technically in the wrong, etc., etc.

Mr. McDougall therefore concocted his Proclamation, but, not content with going thus far, he issued a second one, cut-

ting off Governor Mactavish's head, and a third, appointing Colonel Dennis Deputy-Governor, both of which are to be found published in full in the Appendix to this volume. In his letter to Mr. Howe, Mr. McDougall expresses a doubt as to the propriety of the course he was pursuing, for he says— "I hope I am right in using the name of Her Majesty as prominently as I have done."

Immediately before the appearance of the bogus Proclamation, an attempt was made to excite the English and Scotch settlers to resist the French, which was so far successful that arming and drilling of small bodies of men took place in different parts of the settlement, and matters were in this condition when Mr. McDougall issued his famous documents.

Immediately after the second Proclamation, three French half-breeds, named François and Augustin Nolin, and one Perrault, met Mr. Bannatyne, who persuaded them that Riel's stubborn attitude was likely to get the whole settlement into trouble, and they proposed to have fifty English and fifty French assemble and discuss the rights, and then send delegates to Mr. McDougall, and if he promised them, or even promised to do all in his power to obtain them, they would take a force of men and bring in the new Governor in spite of Riel's opposition. These three men were in earnest, and went to work to carry out their understanding with Mr. Bannatyne with good prospect of success, as Riel and his council were being won over, when the action of the Canadian party in the settlement once more threw everything into chaos, thus playing right into the hands of Riel.

It appears that a party of Canadians went to join Col. Dennis and form a military force, and this at once drew all the French together, some who had until then kept aloof join-

el's standard. The French council was even in session, debating over the question of sending delegates to Mr. McIl, and a communication to that gentleman was actually in the process of preparation, when word was brought in that the Indian party, assisted by English settlers, were about to attack Fort Garry. Like a flash, the French rose to a man, and all their preparations were at an end, and all the good that had been done was lost for naught.

In the meantime, Governor Mactavish, lying sick at Fort Garry, had not even been shown a copy of the Proclamation, having been sent to him until a friend placed one in his hands; but this treatment was only in keeping with the whole conduct of Mr. McDougall in his attitude toward the man whom he expected to succeed, and who was the first one with whom he should have endeavored to communicate in so important a matter.

The newspapers *Nor'-Wester* and *Pioneer* were now both in the hands of Riel, who also made a search of several private residences for suspected persons and arms, and all was excitement and confusion in the neighborhood of Fort Garry. From the report of Colonel Dennis, it seems that it was at his instance that the Canadians in Winnipeg were enrolled, and that his instructions were to organize a force in the settlement to put down the French if there was any hope of such a step being successful. Thus another fatal blunder was committed at a moment when everything appeared to be auspicious for a peaceful settling of the troubles. On the 5th December, the Lists of names were issued in printed form, and distributed among the settlers, the 13th and 14th clauses being omitted.

In the meantime, the excitement in the settlement, especially in the vicinity of Fort Garry, continued, and was rather

intensified, when a rumor reached Winnipeg that the Sioux Indians, to the number of eleven hundred, were on the way to Red River, headed by a desperate character named George Racette, alias "Shawman." The worst feature about the rumor was, that this man "Shawman," a French half-breed, known to be disreputable and unreliable, had been employed by Colonel Dennis. There is not, however, the slightest reason to suspect that the latter in any way encouraged his employé to tamper with the Indians, but the fact of "Shawman" having been adopted by the Canadian party, was sufficient to create a very bad feeling, especially among the French. There is every reason to think that Racette actually endeavored to excite the Indians, because, not only did word to that effect reach the settlement, but the man himself had boasted that he would bring back a large enough band to wipe out the whole community.

The next serious matter was the return to Winnipeg of the Canadians who had enrolled themselves under Colonel Dennis, and their collecting together in the house of Dr. Schultz for the ostensible purpose of defending the government pork stored there. This, however, was looked upon as only an excuse for the step taken, and a strong suspicion was created in the minds of the French that they had gathered together for the purpose of forming a nucleus of attack on Fort Garry, should the opportunity arise.

Colonel Dennis thus refers to the subject in his report: "Received a note from Dr. Schultz this morning, in which he states that a number of the enrolled Canadians and others collected at his house last evening—it is presumed on his request—anticipating a possible attack on his property, and the government provisions in his charge." The gathering of

se men at this time was a most unfortunate affair for which, however, Colonel Dennis was in no way responsible, as he distinctly ordered the men to stay in their lodgings until further orders were received from him. Indeed, when he heard what had taken place, he at once sent an order to have the men withdrawn, and to Dr. Schultz he said, "Shut up your premises and let the property take its chance." But unfortunately his instructions were disobeyed, and the Canadian militia in Winnipeg decided to remain where they were, cooped up in a shell of a building, where, if hostilities had commenced, they could have had no hope of being able to defend themselves.

While Colonel Dennis was thus busy enrolling men, and the Canadians in Winnipeg were keeping up the excitement, Mr. Dougall at Pembina was not idle. In a letter to Hon. Jos. Howe, dated 2nd Dec., he says: "Yesterday evening, after finding that the road was clear, I took with me Messrs. Richards and Provencher, and four others of my party, and proceeded to the Hudson's Bay Company's post near Pembina, in order to execute on British soil, and so far in a public manner, the Proclamation and other documents which are to take effect within the territory, I have resolved to do no official act on American soil, and have made arrangements to occupy the Hudson's Bay Company's post, and, if necessary, to repel by force the attack of any such party as the one that drove us from it on the 3rd November. * * * I shall not only take this position and attitude unless I hear from Colonel Dennis that he has a force in the field, and is thus giving Riel and his party something to do at Fort Garry."

The printing and circulating of the List of Rights, to which we have already referred, produced a good effect on the Eng-

lish-speaking settlers, as there seemed to them nothing unreasonable in the demand, and in consequence of this, Colonel Dennis found great difficulty in exciting any enthusiasm about raising a force. On the 8th December, he gave vent to his feelings of disappointment in the following extraordinary language, contained in a letter to his chief, Mr. McDougall: "However, if the people were willing, they could muster arms enough to put down the half-breeds, but they won't do it. The fact of the matter is, *they are cowards one and all of them.* Although they are my countrymen, I must speak the truth about them."

On the 7th December, a few of the principal residents in Winnipeg and vicinity met together, and decided to go to Dr. Schultz, and point out to him how he was endangering the whole settlement, by keeping a force of men in his house, offering at the same time to become responsible for any damage done to his property or the Government supplies. While these gentlemen, however, were on their way to carry out this mission of peace, Riel, at the head of about three hundred men, with pieces of artillery, appeared on the road from Fort Garry, for the purpose of dislodging the Canadians. It was a critical moment, and the party of peacemakers at once went to Riel, and asked to be allowed to see Schultz first before anything further was done, to which Riel consented, but declared that only an unconditional surrender of the Canadian party would satisfy him.

The result was, that after some time was taken up in negotiating, the following order was sent in by Riel:

Communication received this 7th day of December, 1869, Dr. Schultz and men are hereby ordered to give up their arms and surrender themselves. Their lives will be spared should they comply. In case of refusal,

English half-breeds and other natives, women and children, are at
to depart unmolested.

LOUIS RIEL.

GARRY, 7th December, 1869.

Surrender will be accepted at or fifteen minutes after the order.

O'Donnell, who was then staying with Dr. Schultz, set
example, which the rest of the party followed, by signing
document, and two who were not in the house at the time
(Garret and James Mulligan), were sent for by Riel and
added in the number.

Signatures to the surrender were:—

Lynch, M.D.	Wm. Graham,	James C. Kent,
Schultz, M.D.	Wm. Nimmons,	J. M. Coombs,
Hamilton,	Wm. Kitson,	A. R. Chisholm,
McVicar,	John Ferguson,	John Eccles,
Meade,	Wm. Spice,	John Ivy,
Woodington,	Thos. Lusted,	F. C. Mugridge,
Allen,	James Stewart,	F. Franklin,
Langman,	H. Werghtman,	Geo. Nicol,
Campbell,	L. W. Archibald,	Geo. Millar,
O'Donnell, M.D.,	C. E. Palmer,	James H. Ashdown,
Hyman,	Geo. Bubar,	A. W. Graham,
Dawson.	Matthew Davis,	D. Cameron,
Davis,	A. Wright,	J. H. Stocks,
Haines,	P. McArthur,	James Mulligan,
Fortney,	Robert R. Smith,	Charles Garret.

Persons in all.

There were also three ladies in the party, Mrs. Schultz, Mrs.
and Mrs. O'Donnell, who, of their own accord, accom-
panied the prisoners to Fort Garry, whither Riel marched
and Mr. J. H. McTavish, of the Hudson's Bay Company,
his apartments at the service, of the ladies, who were
made comfortable. But the balance of the party found
themselves locked up in quarters very much too small for their
lodging, and without sufficient food or covering.

On the 8th December, Riel issued the following declaration, printed in English and French, and copies were freely circulated throughout the settlement:—

DECLARATION OF THE PEOPLE OF RUPERT'S LAND AND THE NORTH-WEST.

Whereas it is admitted by all men, as a fundamental principle, that the public authority commands the obedience and respect of its subjects. It is also admitted that a people, when it has no government, is free to adopt one form of government in preference to another, to give or refuse allegiance to that which is proposed. In accordance with the above first principle, the people of this country had obeyed and respected that authority to which the circumstances surrounding its infancy compelled it to be subject.

A company of adventurers known as the Hudson's Bay Company, and invested with certain powers granted by His Majesty (Charles II.), established itself in Rupert's Land, and in the North-West Territory, for trading purposes only. This company, consisting of many persons, required a certain constitution; but as theirs was a question of commerce only, their constitution was framed in reference thereto. Yet, since there was at that time no government to see to the interests of a people already existing in the country, it became necessary for judicial affairs to have recourse to the officers of the Hudson's Bay Company. This inaugurated that species of government which, slightly modified by subsequent circumstances, ruled this country up to a recent date.

Whereas that government thus accepted was far from answering to the wants of the people, and became more and more so as the population increased in numbers, and as the country was developed, and commerce extended until the present day when it commands a place amongst the colonies; and this people, ever actuated by the above mentioned principles, had generally supported the aforesaid government, and gave it a faithful allegiance; when, contrary to the law of nations, in March, 1869, the said government surrendered, and transferred to Canada, all the rights which it had pretended to have in this territory, by transactions with which the people were considered unworthy to be made acquainted; and, whereas it is also generally admitted that a people is at liberty to establish any form of government it may consider suitable to its wants, as soon as the power to which it was subject abandons it or attempts to subjugate it without its consent, to a foreign power, and maintained that no right can be transferred to such foreign power. Now, therefore—

1st. We, the representatives of the people in council, assembled at Upper Fort Garry, on the 24th November, 1869, after having invoked the

God of Nations relying on these fundamental moral principles, solemnly declare, in the names of our constituents, and in our own names, before God and man, that from the day on which the Government we had always respected abandoned us, by transferring to a strange power the sacred authority confided to it, the people of Rupert's Land and the North-West became free and exempt from all allegiance to the said Government.

2nd. That we refuse to recognize the authority of Canada, which pretends to have a right to coerce us, and impose upon us a despotic form of government, still more contrary to our rights and interests as British subjects than was that Government to which we had subjected ourselves through necessity up to a certain date.

3rd. That by sending an expedition on the 1st November ult., charged to drive back Mr. William McDougall and his companions, coming in the name of Canada to rule us with the rod of despotism, without a previous notification to that effect, we have acted conformably to that sacred right which commands every citizen to offer energetic opposition to prevent his country being enslaved.

4th. That we continue, and shall continue, to oppose, with all our strength, the establishing of the Canadian authority in our country under the announced form. And in case of persistence on the part of the Canadian Government to enforce its obnoxious policy upon us by force of arms, we protest beforehand against such an unjust and unlawful course; and we declare the said Canadian Government responsible before God and men for the innumerable evils which may be caused by so unwarrantable a course. Be it known, therefore, to the world in general, and to the Canadian Government in particular, that as we have always heretofore successfully defended our country in frequent wars with the neighboring tribes of Indians, who are now on friendly relations with us, we are firmly resolved in future, not less than in the past, to repel all invasions from whatsoever quarters they may come.

And, furthermore, we do declare and proclaim, in the name of the people of Rupert's Land and the North-West, that we have, on the said 24th of November, 1869, above mentioned, established a provisional government, and hold it to be the only and lawful authority now in existence in Rupert's Land and the North-West which claims the obedience and respect of the people.

That meanwhile we hold ourselves in readiness to enter into such negotiations with the Canadian Government as may be favorable for the good government and prosperity of this people.

In support of this declaration, relying on the protection of Divine Providence, we mutually pledge ourselves on oath, our lives, our fortunes, and our sacred honor to each other.

Issued at Fort Garry, this 8th day of December, in the year of our Lord one thousand eight hundred and sixty-nine.

JOHN BAKER, *President*

LOUIS RIEL, *Secretary*

Riel then sent a guard of forty men to occupy the Hudson's Bay post at Pembina, to prevent Mr. McDougall from entering it, and he notified Mr. J. A. Snow, the superintendent of the Lake of the Woods road, to arrange his affairs and depart from the settlement within a fortnight. Mr. Bown, the editor of the *Nor'-Wester*, thinking discretion the better part of valour, had left the settlement, it is said, in disguise and was staying at a post in the interior, called Eagle's Nest, which belonged to the Hudson's Bay Company.

It seems that Col. Dennis, at the time when Schultz and his men were besieged by Riel, attempted to raise a force in the Lower Settlement to rescue them, but did not succeed, and on the 6th December, the day before the surrender he received the following letter from the Bishop of Rupert's Land, which throws much light on the state of affairs in the settlement

BISHOP'S COURT, Dec. 6th, 1869

DEAR COLONEL DENNIS I grieve to say that the state of things is assuming daily a graver aspect. I am greatly disappointed at the manifestations of loyalty and a determination to support the government of Mr. McDougall, on the part of the English population. Instead of a breaking down of the force of the insurgents, I feel certain from my observations at Fort Garry to-day, and from information from Mr. Mactavish and others I can rely on, that over 600 men are now in arms, and they are well armed. I see no reason to depend on want of courage or determination on the part of these men. In addition to this strong exhibition of force, there is a belief, apparently on good authority, of a determination to avenge loss of life, if they are attacked by house to house massacring, or, at any rate, by individual assassination.

I feel, therefore, that success in an attack with such forces as you can bring together, with nothing of the common action the insurgents have, is problematical, and that the warfare is likely to be such that a victory will only be less fatal to the settlement and the interest of the Canadian Government, than a defeat.

You must not suppose that this comes from one who is timorous. Though I never said it before, I went to the first meeting of the Council of Assiniboia, prepared to recommend a forcible putting down of the insurrection, and when you came in, I hoped that the exhibition of force would be sufficient ; but the force of the insurgents has only grown with opposition and is now, I believe, quite a match for all that can be brought together against them. I would earnestly advise, therefore, the giving up of any idea of attacking the French position at Fort Garry at present, and also any idea of seizing by stealth on any rebel. Put away such counsel for a time at least. I feel that the result to be anticipated would be very disastrous. I see everything to be gained by delay ; at any rate there would be some opportunity, perhaps, of bringing about some direct communication between Governor McDougall and the disaffected people. I think you should on every account, bring that about. Further, it would be well not to act till you ascertain clearly the mind of the Canadian Ministry and people, on the way of settling this affair, and I think something is due to the people from Governor McDougall. I for one am at this moment perfectly ignorant of any detail of the character or policy of this government. Personally I do not care for this. I am not only fervently loyal to the Queen, but I have unquestioning confidence in the management of Canada. I know all will be right ; still, there is not less a great want, a very conciliatory attitude is what is wanted from Governor McDougall, and a plain setting forth of how the government is to be conducted, meeting, as far as possible, any of the wishes expressed by the disaffected persons, and perhaps referring others to Canada, but promising a generous consideration of the whole grievances.

This may not be altogether palatable, but the crisis is a grave one for Canada, and much wisdom is needed. I would not so write, did I not feel certain, that if the present numbers of insurgents keep up, an attack is not feasible, and did I not also feel that some attempt should be made by those having authority and knowledge, to enter into explanations with them before making any attack. The late government of Assiniboia, could not do this, for it had no information ; all that could be done was to counsel loyal obedience, but at this time, something more is called for than that.

With kindest regards,

I am, &c.,

R RUPERT'S LAND.

Colonel Dennis evidently concluded to take His Lordship's advice, for, on the 9th December, he sent the following letter to Mr. A. G. B. Bannatyne :

LOWER FORT GARRY,

December, 9th, 1869.

A. G. B. BANNATYNE, Esq.,

Winnipeg.

DEAR MR. BANNATYNE—I Hope the enclosed will satisfy the French party of my desire not to see the country made desolate upon a question which I am convinced admits of a peaceful solution.

Be good enough to make it known to the parties in arms, if I can contribute in any way to bring about a settlement, I shall be glad to do so. The paper will be printed and distributed to-day.

Believe me, Dear Sir,

Yours, &c.,

J. S. DENNIS

The enclosure referred to was the following :

PEACE PROCLAMATION.

LOWER FORT GARRY,

Red River Settlement,

December 9th, 1869.

To all whom it may concern.

By certain printed papers, of late put in circulation by the French party, communication with the Lieutenant-Governor is indicated with a view to laying before him alleged rights on the part of those now in arms. I think that course very desirable, and that it would lead to good results. Under the belief that the party in arms are sincere in their desire for peace, and feeling that to abandon for the present, the call on the loyal to arms, would, in view of such communication, relieve the situation of much embarrassment, and so contribute to bring about peace, and save the country from what will otherwise end in ruin and desolation I now call on and order the loyal party in the North-West Territories to cease further action under the appeal to arms made by me, and I call on the French party to satisfy the people of their sincerity in wishing for a peaceful ending of all these troubles by sending a deputation to the Lieutenant-Governor at Pembina without any unnecessary delay.

Given under my hand at Lower Fort Garry, this 9th day of December, 1869.

J. S. DENNIS,
*Lieutenant and Conservator of the Peace in and
for the North-West Territories.*

Two days after issuing the above proclamation, Colonel **Dennis** left Lower Fort Garry to rejoin Mr. McDougall at Pembina, and the latter, finding that all efforts to gain admission into the settlement had failed, packed up his baggage and took his departure on the 18th December for Canada.



CHAPTER XXVII.

A PASSIVE COMMISSION.

THE only attempt (as far as we know) made by Mr M. Dougall to communicate with the insurgents and find out the true cause of their grievances, was when five days before his departure for Canada he addressed the following letter to Riel.

(Private.)

PENBINA, December 13, 1869.

LOUIS RIEL, Esq.,

SIR - I hear from the Hudson Bay Post that you are expected to arrive there from Fort Garry to-night. I send this note to inform you that I am anxious to have a conversation with you before answering despatches which I have recently received from the Dominion Government. I have not yet had any communication from you or from anyone else on behalf of the French half-breeds, who have prevented me from proceeding to Fort Garry, stating their complaints or wishes in reference to the new government. As the representative of the Sovereign to whom you and they owe, and as I am told, do not wish to deny, allegiance, it is proper that some such communication should reach me. It will be a great misfortune to us all, I think, if I am obliged to return to Canada and hand over the powers of government here to a military ruler. This will be the inevitable result, unless we find some solution of the present difficulty very soon.

I have full powers from the Government, as well as the strongest desire personally, to meet all just claims of every class and section of the people. Why should you not come to me and discuss the matter?

I beg you to believe that what occurred will not affect my mind against you or those for whom you may be authorized to speak. The interview proposed must be without the knowledge or privity of certain American citizens here, who pretend to be *en rapport* with you. I trust to your honor on this point.

Very faithfully yours,

WILLIAM McDougall.

The above invitation was sent too late in the day, and Riel never responded, remembering probably the fact that it had been preceded by too many unmistakable proofs that the man who wrote it was not imbued with friendly feelings toward the French population.

Mr. McDougall being thus disappointed in his effort to conciliate the leader of the insurgents, took up his pen and addressed Governor Mactavish in the following extraordinary manner:

“If, in consequence of the action of the Dominion Government (withholding payment to the Hudson's Bay Company of the purchase money), the surrender and transfer of the country did not take place on the first day of December, as previously agreed upon, then you are the chief executive officer as before, and responsible for the preservation of the peace, and the enforcement of the law. If, on the other hand, the transfer did take place on the first day of December, then, I take it, my commission came into force, and the notice in the form of a proclamation, issued by my authority on that day, correctly recited the facts and disclosed the legal status of the respective parties.”

At this time Governor Mactavish was lying seriously ill at Fort Garry, a fact which must have been known to Mr. McDougall, and yet, with what may be almost looked upon as a species of cruelty, he indited the above insulting document.

But we will now see what the Canadian authorities thought of Mr. McDougall's action while at Pembina.

The Secretary of State at Ottawa, writing to him on the 24th December, says:

As it would appear from these documents that you have used the Queen's name without her authority—attributed to Her Majesty acts

which she has not yet performed—and organized an armed force within the territory of the Hudson's Bay Company without warrant or instructions, I am commanded to assure you that the grave occurrences which you report have occasioned here great anxiety. * * * But as the organisation and use of such a force by you was, under the circumstances, entirely illegal the Governor-General and council cannot disguise from you the weight of responsibility you have incurred.

Acting on the belief that the country would be quietly transferred, with the general assent of the inhabitants, all the preparatory arrangements were made, as you were aware, in anticipation that on or about the 1st December, the territory would be surrendered by the company to the Queen, and that thereupon Her Majesty would issue Her Proclamation, fixing a day for the union of the country with Canada.

The Proclamation, when officially communicated, to you would enable you, under the commission and authority given in anticipation of that event, to enter legally upon the appointed day on the discharge of your official duties as Governor of the North-West.

In the commission issued on the 28th September, you were empowered to enter upon the duties of government only "on, from and after the day to be named" in the Queen's Proclamation; and in the instructions handed to you with the commission you are directed to proceed to Fort Garry and be ready to assume the government of the territories on their actual transfer to Canada.

I wish I could inform you that this report had entirely relieved the Governor-General and council from the anxiety already expressed. It is true that no blood had been shed up to the 6th, and you had not carried out your intention of occupying the stockade near Pembina with an armed party; but the proceedings of Col. Dennis, as reported by himself, are so reckless and extraordinary that there can be no relief from solicitude here while an officer so imprudent is acting under your authority.

Had the inhabitants of Rupert's Land, on the breaking out of the disturbances risen and put an end to them, or had Governor Mactavish organized a force to occupy his forts, and maintain his authority, all would have been well, and Riel and his people would have been responsible for any bloodshed or property destroyed. But Col. Dennis, with no legal authority, proceeds to seize the fort not in possession of the insurgents, but of the Hudson's Bay Company, and to garrison it with a mixed force of whites and Indians, and proposes to give battle to the insurgents should a junction be formed with some forces which he has ordered to be drilled on the Assiniboine. He appears never to have thought that the moment war commenced all the white inhabitants would be at the mercy of the Indians by whom they are largely outnumbered, and, divided as they would be, might be easily overpowered.

It is impossible to read the Colonel's account of his attempt to persuade Judge Black to aid him in proclaiming martial law, without strong feelings of regret that you should have been represented in the settlement by a person of so little discretion. It is no wonder that Judge Black was frightened at the proposal as he must have known that Col. Dennis would have to answer at the bar of justice for every life lost by such an assumption of authority, and that the illegal seizure of an American citizen would at once provoke interference in the quarrel, and lead to very serious complications.

I have the honor to be, etc.,

JOSEPH HOWE,
Secretary of State for the Provinces.

Col. Dennis, afterwards, in a letter addressed to the Honorable the Minister of Public Works, on the 12th February, 1870, made use of the following words in regard to his actions in the North-West, under the commission issued to him by Mr. McDougall:—

“I acted in good faith throughout, not being aware, till I met Col. DeSalaberry, on the 23rd December, on the plains, while on my way to Canada, that the Proclamation and Commission had been issued by Mr. McDougall under a misapprehension of the facts (the transfer of the territory not having taken place on the 1st December as supposed), and were worth no more than waste paper.

“I may be permitted to say here that, although I had previously felt mortified at not having been able to bring about peace by means of any kind, on hearing the statement of Colonel De Salaberry, that feeling changed at once to one of heartfelt thankfulness that my proceedings had not been the cause (even to the extent of a drop) of bloodshed among the people.”

In justice to Col. Dennis, it must be said that he, undoubtedly, considered himself fully empowered to act as he did, and although he went the wrong way about bringing peace to the

settlement, his actions were in line with the whole policy adopted by his chief, Mr. McDougall, after his expulsion from the settlement, on the 3rd November. As for Mr. McDougall, his misfortune, if not his fault, lay in his placing too much confidence in the statements and advice of supposed friends in the settlement—men who at the time had made themselves wholly objectionable to a large class of settlers. The difficulty with Mr. McDougall was the absence of any conciliatory spirit in dealing with the difficulties that confronted him, and this, combined with his overbearing manner, and the injudicious language attributed to him, and which, unfortunately, characterized nearly all the letters and documents emanating from him, only served to widen the breach between him and the French. Even had his acts proved perfectly legal, and the transfer taken place, it is doubtful whether the French section of the settlement would have been willing to accept him as their governor. His whole course, from the day of his arrival at Pembina until he took his departure, was hasty, and contrary to the instructions he had received, and the only excuse that can be shown in his favor is the distance from the seat of government at Ottawa, and the difficulty and delay in communicating therewith. Had he remained passive, awaiting full advices from Ottawa, all might have been well, but, unfortunately, he gave way to the importunities of irresponsible parties, was guided by their unwise counsels, and adopted extreme measures without the necessary authority, and by this means ruined himself, politically, ever afterwards.

After his departure from Pembina, matters in the settlement quieted down somewhat, and most of the French dispersed to their homes, leaving about sixty men in Fort Garry to guard it. On the 10th December, Riel hoisted the flag of

the provisional government, the design being a combination of the *fleurs de lis* and *shamrock*, the latter being, it was said, in honor of W. B. O'Donohue, who had left the college of St. Boniface, where he was studying for the priesthood, and joined the insurgents. Dr. Tupper (now Sir Charles Tupper) about this time paid a flying visit to the settlement for the purpose of obtaining possession of some luggage belonging to his daughter, Mrs. Cameron, which had been seized with Mr. McDougall's furniture, but he in no way took part in the political differences existing.

It now became known in the settlement that the proclamations issued by Mr. McDougall were without authority of the Queen, and valueless, and the revulsion of feeling that took place in the minds of the settlers generally, only served to further strengthen the hands of Riel. The unfortunate prisoners in Fort Garry, who no doubt had acted from a spirit of loyalty to Canada, felt themselves sold, especially as both Mr. McDougall and Colonel Dennis had taken their departure, thus leaving them to their fate. Steps were taken, however, by parties in the settlement to procure, if possible, their release, but Riel would not agree to any proposition of the kind, and in this he made a great mistake, for had he given the men their liberty, it would have prevented in a great measure, the bitter feeling that sprang up against him among the English settlers.

The fact is, that from the time of the collapse of Mr. McDougall's illegal plans and his subsequent departure for Canada, Riel became arbitrary and inflated by the temporary power which he held. His first high-handed proceeding was to cause the safe of the Hudson's Bay Company to be carried off from their office, and to abstract several thousands of pounds sterling from it, it even being said that part of this money was

used in paying Mr. Coldwell for the plant of the *Pioneer* newspaper, which was afterwards used in publishing the *New Nation*, Riel's organ. Dr. Schultz about the same time was taken from the quarters, where he had been allowed to remain with his wife, and confined with the rest of the prisoners, and in fact the leader of the French began in every way possible to make himself obnoxious to the English-speaking people of the settlement. About this time also, rumors were afloat that Fenians and Americans were in collusion with Riel, which we believe had no foundation in fact, although it was well known that W. B. O'Donohue, high in the councils of the French, had a tendency in that direction. Riel, on being approached by parties upon the subject, stated that there was no truth in the rumors, and that all he wished was the formation of a Provisional Government in which all classes would be represented, and that then he would be glad if either Governor Mactavish or Judge Black would become head of it.

Riel now continued to make arrests of parties supposed to be in sympathy with the Canadian party, and so quietly was this done on some occasions, that it was really unknown how many prisoners he had confined in Fort Garry. He and his followers also helped themselves to whatever they wanted from the Hudson's Bay Company's establishment, and in some cases from the stores of private merchants.

On the 25th December, 1869, John Bruce resigned the position of President of the Provisional Government, a position which he had only held nominally, and Louis Riel, the real head of the insurrection, succeeded him, and about the same time word was received of the expected arrival of Grand Vicar Thibault and Colonel de Salaberry, two commissioners appointed by the Dominion Government for the purpose of







Wm. McDougall

Hon. William McDougall

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ring into the grievances of the people, and pacifying if possible, so as to gain the admission of Mr. McDougall into the territory. On the way over the plains, these commissioners met Mr. McDougall and his party bound to Paul, and communicated to that gentleman the fact the transfer had not been made, and that, therefore, he acted illegally in all that he had done at Pembina. They proceeded toward the settlement, and, on arriving at the dary line, it was decided that the Grand Vicar should go on to St. Boniface, as there was some doubt whether Deerry would be admitted. The latter, as a matter of pre-on, retained all the papers connected with their mission, it was not until the 6th January that he was enabled to his colleague in the settlement. The Grand Vicar and Deerry then permitted their papers to pass into the hands el, who being thus made aware beforehand of their con-and of the fact that they were invested with no author-as not inclined to pay much respect to their mission of. Indeed, at his request, the two commissioners remained ly at the Bishop's Palace, and did not visit to any extent g the people for some time after their arrival. Their nce in the settlement had no effect upon the general state airs in bringing about a better understanding among the e. Matters went on as usual, and Riel carried things in ame high-handed manner, prisoners being arrested and in confinement—guards being posted as usual at Fort y, and sometimes patrolling the streets of Winnipeg, and a al feeling of uneasiness pervaded the whole settlement. out this time, too, another Sioux scare occurred, and ty of these Indians actually came down from Portage la ie to within a few miles of Fort Garry, and were only in-

duced to return by giving them presents. Other Indians broke into and stole some of the Government provisions at Oak Point, and, in addition to these causes for disquietude, threats began to be used by some of the English settlers, that unless Riel released the Canadian prisoners, an attack would be made on the fort to liberate them.

In the midst of this state of public feeling, the *New Nation* made its appearance, edited by Major Robinson, and brimful of Annexation ideas, of which the following headlines, taken from its first issue, will give some idea:

CONFEDERATION!

THE BRITISH-AMERICAN PROVINCES!

Proposed Annexation to the United States, Etc., Etc.

ANNEXATION!

BRITISH COLUMBIA DEFYING THE DOMINION!

Annexation our Manifest Destiny!

The publication of this paper, with such sentiments expressed in its columns, did much to widen the breach between the English and French, as the *New Nation* was the acknowledged organ of Riel, although the latter repudiated altogether the annexation doctrine preached by it.

Grand Vicar Thibault and Colonel de Salaberry now had an interview with the French council, and, on receiving them, Riel said:—"I am sorry to see that your papers give you no authority to treat with us, but we will be very glad to hear you, trusting that you have only good news to tell us." Nothing, however, came of this interview, and in order that our readers may see how powerless the commissioners were to accomplish any practical good, we will give in full the letter of

structions which Grand Vicar Thibault received from Hon. Howe, the Secretary of State for Canada.

OTTAWA, December 4, 1869.

Very Reverend Grand Vicar, M. Thibault.

I am commanded by His Excellency the Governor-General to refer to you in the form of instructions for your guidance, the grounds of policy of this government to the people of the Hudson's Bay Territory. I am commanded by His Excellency the Governor-General to refer to you in the form of instructions for your guidance, the grounds of policy of this government to the people of the Hudson's Bay Territory. I am commanded by His Excellency the Governor-General to refer to you in the form of instructions for your guidance, the grounds of policy of this government to the people of the Hudson's Bay Territory.

I will not fail to direct the attention of the mixed society inhabiting the cultivated borders of the Red River and Assiniboine, to the fact that it comes within your daily knowledge and observation, and is patent to the world, that in the four provinces of this Dominion, men of all ages, creeds and complexions stand upon one broad footing of perfect equality in the eye of the government and the law ; and that no administration could confront the enlightened public sentiment of this country and attempted to act in the North-West upon principles more restricted and less liberal than those which are firmly established here.

As far as you may have intercourse with the Indian chiefs and people, it will be good enough to remind them that while bloody and costly Indian wars have raged often for long periods in different sections of the United States, there has been no war with the Indians in any of the Provinces of British America since the conquest. For more than a century the Micmacs of Nova Scotia have lived in peace ; while the rights of the Micicetes of New Brunswick have been respected. Everywhere in the Canadas, the progress of settlement, while it furnished new employment to the Indians, was rendered practicable by treaties and arrangements mutually satisfactory, that have formed the secure basis of sympathy and co-operation which have distinguished the Canadians and Indians, not only since the Treaty of Paris, but from the earliest exploration of the country.

It may fairly be assumed that the just and judicious treatment of the Indian tribes forms the brightest page in the history of British America. The Canadians cannot afford to sully it by any ungenerous treatment of the Indians in the North-West. That the disturbances which have taken place at and around Winnipeg and Fort Garry, have grown out of vague apprehensions of danger incident to the transitory state of things, which action of the Imperial Government and Parliament rendered inevitable

there is no reason to doubt ; but it is quite apparent that, underlying what is natural and pardonable in this movement, there have been agencies at work, which loyal subjects cannot countenance, and that artful attempts have been made to mislead the people by the most flagrant and absurd misrepresentations. Had the Queen's Government or the Government of the Dominion imitated the rash and reckless conduct of some of those who have taken part in this disturbance, there would ere this have been bloodshed and civil war in Rupert's Land, with the prospect of the fire spreading along the frontier as the fire spreads over the prairie. Fortunately calmer counsels have prevailed both in England and at Ottawa. The Proclamation of the Queen's representative,* with copies of which you will be furnished in French and English, will convey to Her people, the solemn words of their Sovereign, who, possessed of ample power to enforce Her authority, yet confided in their loyalty and affectionate attachment to Her throne.

The instructions issued to Mr. McDougall, on the 28th September, long before there was any reason to apprehend serious opposition on the Red River, will show how utterly groundless were the suspicions and apprehensions of unfair treatment which have been widely circulated in the North-West, and to which unfortunately some of the Canadian newspapers, for party purposes, at times gave the mischievous color of their authority.

You will perceive that at no time was the absurd idea entertained of ignoring the municipal and political rights of the people of the North-West, that the only two persons that Mr. McDougall was formerly instructed to call to his aid, were Governor Mactavish and Judge Black, who were known to be universally respected, and that any subsequent selections were to be first reported here, with grounds of his belief that they stood equally high in the confidence and affections of the people.

All the Provinces of the British Empire which now enjoy representative institutions and responsible government, have passed through a probationary period, till the growth of the population and some political training prepared them for self-government.

In the United States, the territories are ruled from Washington, till the time arrives when they can prove their fitness to be included in the family of States, and, in the halls of Congress, challenge the full measure of power and free development which American citizenship includes.

It is fair to assume that some such training as human society requires in all free countries, may be useful, if not indispensable, at Red River ; but of this, you may be assured, that the Governor-General and his council will gladly welcome the period when the Queen can confer, with their as-

* The Proclamation of the Governor-General of Canada, which will be found in the Appendix. This document was placed in the hands of Riel by Commissioners Thibault and De Salaberry, and was therefore never made public at Red River.

the approbation, the largest measure of self-government on her subjects in that region, compatible with the preservation of British interests on this continent, and the integrity of the Empire.

I think it unnecessary to make more than a passing reference to the acts of folly and indiscretion attributed to persons who have assumed to represent the Dominion and to speak in its name, but who have acted on their own responsibility and without the knowledge or the sanction of this Government.

In undertaking, at this season of the year, so long a journey in the public service, you display, venerable sir, a spirit of patriotism which I am commanded to assure you, is fully appreciated by the Queen's Representative and by the Privy Council

I have the honor to be

Your most obedient servant,

JOSEPH HOWE,

Secretary of State.

The following was included in a letter sent by Hon. Jos. Howe, on 7th December, to Mr. McDougall, but received by him after he had left Pembina, and was, therefore, not made public at Red River until the 20th January following, when Mr. Donald A. Smith, at a mass meeting in Fort Garry, read from a copy of the letter with which he had been furnished:—

“ You will now be in a position, in your communications with the residents of the North-West, to assure them :

1. That all their civil and religious liberties and privileges will be sacredly respected.

2. That all their properties, rights and equities of every kind, as enjoyed under the government of the Hudson's Bay Company, will be continued to them.

3. That in granting titles to land now occupied by the settlers, the most liberal policy will be pursued.

4. That the present tariff of customs duties will be continued for two years from the 1st January next, except in the case of spirituous liquors, as specified in the order-in-council above alluded to.

5. That in forming your council the Governor-General will see that not only the Hudson's Bay Company but the other classes of the residents are fully and fairly represented.

6. That your council will have the power of establishing municipal self-government at once, and in such manner as they think most beneficial to the country.

7. That the country will be governed, as in the past by British law, and according to the spirit of British justice.

8. That the present government is to be considered as merely provisional and temporary, and that the Government of Canada will be prepared to submit a measure to parliament, granting a liberal constitution, so soon as you, as Governor, and your council, have had an opportunity of reporting fully on the wants and requirements of the territory.

You had, of course, instructions on all the above-mentioned points, excepting as regards the tariff, before you left Ottawa, but it has been thought well that I should repeat them to you in this authoritative form."

But it will be observed that the intentions of the Canadian Government were never made known to the people of the settlement by Mr. McDougall, or anybody else in his behalf, and now that he had taken his departure, the commissioners sent by the Dominion had neither instructions nor authority to make known the purpose of Canada, in regard to the proposed change of government. But, on the 27th December, 1869, a gentleman arrived in the settlement, who was not only vested with authority to act, but who also, by his experience, ability and cool judgment, understood how to bring matters properly before the people, and his important mission to a successful issue.



CHAPTER XXVIII.

SPECIAL COMMISSIONER SMITH'S MISSION.

ON the 27th December, 1869, Mr. Donald A. Smith, accompanied by Mr. Hardisty, of the Hudson's Bay Company's service, arrived quietly at Fort Garry, and before being admitted, were met by Riel, who demanded their business. Mr. Smith thereupon stated that he was connected with the company, but held a commission from the Canadian Government, which he would present, with other documents, at the proper time, and on this he and his companion were allowed to visit Governor Mactavish. Riel, however, was not then informed that Mr. Smith was clothed with authority of an exceptional character, or that the documents with which he had been entrusted, and which he had left behind him at Pembina for safe keeping, were very important indeed. Indeed, the true character of Mr. Smith's mission did not become publicly known for some time afterwards, while plans were maturing to ensure its success.

It may be well then to know how Mr. Smith came to pay a visit to Red River at such an inclement season of the year, and the nature of the business he had in hand.

On the 10th December, while in Montreal, he received the following letter, appointing him a Special Commissioner to proceed to the Red River Settlement, where, after enquiring into the causes of the discontent and dissatisfaction ex-

isting among the people, he was empowered to act according to the best of his judgment in bringing about a solution of the difficulties :—

“ OFFICE OF THE SECRETARY OF STATE

“ FOR THE PROVINCES,

“ OTTAWA, December 10th, 1869

“ DONALD A. SMITH, Esq.,

“ *Montreal.*

“ **SIR**—I have the honor to inform you that His Excellency the Governor-General has been pleased to appoint you Special Commissioner, to inquire into and report upon the causes and extent of the armed obstruction offered at the Red River, in the North-West Territories, to the peaceful ingress of the Hon. Wm. McDougall, the gentleman selected to be the Lieutenant-Governor of that country on its union with Canada.

“ Also, to enquire into and report upon the causes of the discontent and dissatisfaction at the proposed change that now exists there.

“ Also, to explain to the inhabitants the principles on which the Government of Canada intends to govern the country, and to remove any misapprehension that may exist on the subject. And also to take such steps, in concert with Mr. McDougall and Governor Mactavish, as may seem most proper for effecting the peaceable transfer of the country and the government from the Hudson's Bay authorities to the Government of the Dominion. You will consider this communication as your letter of appointment as Government Commissioner.

“ With this letter you will receive :

“ A copy of the letter of instructions given to Mr. McDougall on leaving Ottawa, dated 28th September last ;

copy of further letter of instructions to Mr. McDougall,
7th instant ;

copy of the Proclamation issued by His Excellency the
Governor-General, addressed to the inhabitants of the North-
West Territories, by the express desire of Her Majesty.

These will enable you to speak authoritatively on the sub-
ject of your mission.

You will proceed with all dispatch to Pembina, and ar-
range with Mr. McDougall as to your future course of action ;
then go on to Fort Garry, and take such steps as, after
consultation, may seem most expedient. You will, of
course, consult Governor Mactavish, and endeavor to arrange
a system of concerted action in the pacification of the coun-
try with Mr. McDougall, the Hudson's Bay authorities, and
himself.

The information received by the Government here is
necessarily imperfect, and as the circumstances at the Red
River are continually changing, it is not considered expedient
to supply you with more specific instructions. You will,
therefore, act according to the best of your judgment in con-
sultation with Mr. McDougall, and you will keep me fully in-
formed by every mail of the progress of events.

In addition to the more immediate object of your mission,
you are requested to report on the best mode of dealing with
the Indian Tribes in the country, and generally to make such
observations as may occur to you as to the requirements of the
country for the future.

" I have the honor to be, etc.,

" JOSEPH HOWE,

" *Secretary of State for the Provinces.*"

Mr. Donald A. Smith was then furnished with other documents bearing upon his mission, and at once left for Fort Garry arriving there, as we have seen, on the 27th December. On reaching the boundary line, he, however, took the precaution to leave his papers in charge of Mr. Provencher, at Pembina, as he suspected that Riel would endeavor to take possession of them, should they be found with him, on his arrival in the settlement. This, as it subsequently transpired, was a wise forethought on the part of the Commissioner, and enabled him to check-mate Riel in an attempt to discredit him before the people.

For nearly two months, Commissioner Smith remained in Fort Garry, practically a prisoner, but during all this time he was by no means idle, as Riel soon discovered to his cost. He allowed no opportunity to slip to impress upon leading men on both the French and English sides, the liberal intentions of the Canadian government, and his influence began to shew itself, more especially among some of Riel's principal followers.

It was reported about this time, that offers of assistance had been offered to Riel, by parties in the United States, and also, that overtures had come from Canada to settle the difficulty with him, for a pecuniary consideration. There is reason to think that the first rumor was correct, although the offers did not come from any official source, but, as to the latter, there was no semblance of truth in it. The Americans, inside and outside the settlement, were at this time close in the councils of the French, and chief among them was the man Stutsman, to whom we have already referred. The very day on which Commissioner Smith arrived, the following letter, enclosed open in a newspaper, and addressed to Riel, was intercepted:

PEMBINA, Dec. 25th, 1869.

DEAR GENERAL—I wish you and your friends a happy Christmas. I herewith send you a St. Paul paper, containing a communication from Mr. Nelson, of this place. Tuesday's mail will bring us St. Paul papers containing matters of interest on Red River affairs. I have not seen Col. De Salaberry yet. Dr. Tupper called on me a few moments since. He came to take home his daughter, who is the wife of Captain Cameron. Dr. Tupper is a member of the Dominion Parliament, from Nova Scotia. If it be deemed necessary to confer with the Canadian Commissioners, would it not be advisable that such conference should take place on this frontier? I am afraid that if De Salaberry and Father Thibault (who I see by recent Canadian papers, is just as much of a Commissioner as Col. De Salaberry) are permitted to have free communication with your people they will give you trouble. Inasmuch as Father Thibault comes in an official capacity, he should be regarded as an official, and not as a minister of Christ. If he, being an official agent of the Canadian government, be admitted, why reject McDougall or De Salaberry?

Regards to friend Donohue.

Ever yours,

STUTSMAN.

The paper referred to was the *St. Paul Press*, of 17th December, 1869, and this newspaper, each week, contained false and exaggerated accounts of the doings at Red River, written purposely by Stutsman and others of Riel's American sympathizers.

On the 9th January, a number of prisoners escaped in the night, through a window of the court-house, but, as the weather was cold, they were unable to travel fast and some of them were re-captured by a guard sent after them, as soon as their absence was discovered. Riel, previous to this, had released a few of the men, but there were still about sixty remaining in confinement at Fort Garry.

On the 8th January, the following orders were printed at the office of the *New Nation*, and circulated:—

ORDERS OF THE PROVISIONAL GOVERNMENT OF RUPERT'S LAND

The people of Rupert's Land are notified by these presents.—

That at a meeting of the Representatives of the People, held at Fort Garry, on the 27th day of December, 1869, the following resolutions were adopted :—

1st.—Mr. John Bruce having, on account of ill health, resigned his position as president, Mr. Louis Riel was chosen to replace him.

The new president takes this opportunity, in conjunction with the Representatives of the People, to express their high sense of the qualities which distinguish the ex-president. Among others, his modesty, the natural moderation of his character, and the justness of his judgment. These qualities, which were of such great assistance to the people, deserve public recognition, and the Representatives accepted his resignation only in the hope thereby to preserve the health of one dear to them.

2nd.—Mr. François Xavier Dauphinais has been chosen Vice-President.

3rd.—Mr. Louis Schmidt has been appointed Secretary of the council.

4th.—Mr. W. B. O'Donohue has been appointed Secretary-Treasurer.

5th.—Mr. Ambroise Lepine has been appointed Adjutant-General.

6th.—It has been decided that Mr. A. G. B. Bannatyne should be continued in his position as Postmaster.

7th.—All the officers or employes of the old government who might pretend to exercise that old authority shall be punished for high treason.

8th.—Justice shall be administered by the Adjutant-General, whose council shall be composed of Mr. A. G. B. Bannatyne, F. X. Dauphinais and Pierre Poitras. This council will sit on the first and third Monday of each month.

9th.—All licenses for the sale of intoxicating liquors must be given by the Adjutant's council, and all those who took this kind of license on the 1st December last, must have them renewed by the said council.

In publishing these orders the President and Representatives of the People, anxious to draw upon the exercise of their authority the blessing of Heaven and the approbation of all, announce to the people of Rupert's Land that they have pardoned twelve political prisoners, shewing thereby that clemency and forgiveness are as familiar to them as severity.

LOUIS RIEL, *President.*

LOUIS SCHMIDT, *Secretary.*

Mr. Bannatyne consented to join Riel's council on the understanding that a union of the whole settlement would take place for the purpose of treating with Canada, and from a de-

sire to do good, and keep in check the French party, but the publication of the orders was, it appears, not authorized, and all copies possible to be obtained were called in and destroyed. Matters were not going altogether smoothly in the ranks of the French about this time, and jealousy and distrust were known to exist among the leaders. W. B. O'Donohue was caught tampering with Riel's letters, and efforts were made to secure appointments in the government for Americans, which so disgusted several of the French councillors that they threatened to withdraw. This had the effect of checking W. B. O'Donohue who was the moving spirit in the council in favor of annexation, and Stutsman, who had come to take up his residence in the settlement, returned to Pembina in disgust, while Oscar Malmoras, the United States consul, who had, it appears, been mixing himself up in the affairs of the country more than his official position warranted, became aware that his efforts were being thrown away.

Affairs were in this condition, when, on the 15th January, Riel demanded again from Commissioner Smith to see his papers, who replied that they were not in his possession. Riel then proposed sending for them, and demanded an order for their delivery, which was decidedly refused, but on Mr. Smith's being assured that the documents would not be interfered with, he at last consented to send a messenger (Mr. Hardisty) for them. Riel, however, despatched one of his guards with Hardisty, in order, no doubt, to seize the papers before they reached the Commissioner's hands, but certain prominent individuals among the French, who were not altogether satisfied with Riel's doings, heard about this, and on having an interview with Governor Mactavish, with whom Mr. Smith was in communication, a suspicion arose that every-

thing was not all right, and a small party of French and English settlers set off towards Pembina to intercept Mr. Hardisty and his guard, and so quietly and quickly was this done, that no one in the fort, except the Commissioner and Governor Mactavish, was aware of what had taken place. About this time, however, when Mr. Smith's messenger was expected to return, Riel went out to meet him, and, at the house of one Laboucan Dauphinais, he found his guard a prisoner in the hands of a party of men, and Hardisty being conducted back to Fort Garry with the papers all safe. Riel, on perceiving this, attempted to interfere, but a French half-breed named Pierre Laveiller, placing a loaded pistol to his head, threatened to blow his brains out if he did not fall into line with the rest of the men. The whole party, now numbering between sixty and seventy, gathered from the surrounding settlement in sympathy with the movement, then drove on to Fort Garry, and the papers were safely delivered into the hands of the Commissioner.

We will now refer our readers to the report of Mr. Smith, which is published in Chapter xxxi., for a full account of what took place immediately after the delivery of the papers, and proceed to describe the subsequent events.

Judge Black, who was present when the papers arrived, opened them while Commissioner Smith was having an interview with Riel, and it was then decided by the party who had effected the rescue, that a public meeting should be held the following day to hear them read. Messengers were at once dispatched to call the settlers together, and on the 19th January, 1870, fully one thousand persons assembled in the court-yard of the fort, representing all classes of the community. This was a great triumph for the Commissioner, and was

relating to the administration of the law, we may say that the process, though well adapted for purposes of fair arbitration in simple cases, was liable to abuse, owing to its summary character, and absence of preliminary and other necessary arrangements customary with regular courts of law. The agitation against the authorities and against the courts proceeded, as already shown, not so much from natives of the colony as from new comers, and a few others who had an object in wishing to upset the government of the day.

The cultivated portions of the farms along the rivers were small, but immediately back of them could be seen great herds of domestic cattle, feeding on the plains, unherded and left to roam at will, grazing freely on the rich grass of the prairie. Just before the harvest it was customary for the settlers to go "hay cutting," which they did by travelling over the prairie until they came to a desirable spot, when they would cut in a circle, and all the grass thus enclosed belonged to the party hay-making, no one, by the acknowledged law of the land, being allowed to disturb him within that charmed circle. Then a busy scene commenced, the mowers (for the settlers had learned already to make use of agricultural machinery) were kept busy, and men, women and children might be seen actively engaged in stacking the hay. During hay time the people lived in tents on the hay ground, and only returned to their houses when the work was finished.

Almost immediately after haying, harvesting commenced, and any one, to have looked at the splendid fields of wheat, would have been impressed with the great fertility of the soil. At that time there was no settler away from the river, the line of settlement skirting the river with tidy farm houses, comfortable barns and well-fenced fields of waving, golden grain, like a beautiful fringe to the great fertile prairies beyond.

The people may rely upon it that respect and protection will be extended to the different religious persuasions—that titles to every description of property will be perfectly guarded, and that all the franchises which have existed, or which the people may prove themselves qualified to exercise, shall be duly continued or liberally conferred.

In declaring the desire and determination of Her Majesty's Cabinet, you may very safely use the terms of the ancient formula, that "Right shall be done in all cases."

Wishing you a prosperous journey, and all success in your mission of peace and good will,

I remain faithfully yours,

JOHN YOUNG.

The Commissioner now demanded the production of certain documents which had been entrusted to Grand Vicar Thibault, and seized from that gentleman by Riel's orders, and this gave rise to a good deal of confusion, during which abusive and even threatening language was made use of toward Mr. Smith. But he remained firm, and was supported by several of the most influential residents, and by the majority of the people present. The documents were then produced, being found in the desk of the Secretary of the Provisional Government, and in the meantime Mr. Smith read the Queen's message.

It was dated November 26th, and had been sent in the form of a telegram from Earl Granville to Sir John Young, as follows:

"The Queen has heard with surprise and regret, that certain misguided persons have banded together to oppose, by force, the entry of the future Lieutenant-Governor into our territory in Red River. Her Majesty does not distrust the loyalty of her subjects in that settlement, and can only ascribe to misunderstanding or misrepresentation their opposition to a change planned for their advantage.

"She relies on your Government to use every effort to explain whatever misunderstandings may have arisen—to ascer-

tain their wants, and conciliate the good will of the people of Red River Settlement. But in the meantime, she authorizes you to signify to them the sorrow and displeasure with which she views the unreasonable and lawless proceedings which have taken place, and her expectation, that if any parties have desires to express, or complaints to make respecting their condition and prospects, they will address themselves to the Governor-General of Canada.

"The Queen expects from her representative that as he will be always ready to receive well-founded grievances, so will he exercise all the power and authority she entrusted to him in the support of order and the suppression of unlawful disturbances."

It was then decided to adjourn the meeting till the following day, and on this a settler named John Burke made a demand for the release of the prisoners, but Riel replied, "Not just now!" whereupon there were cries of "Yes! Yes!" and on this a number of the French flew to their arms, and some confusion ensued, which fortunately soon subsided, and the assemblage dispersed.

When the people re-assembled the next day, on Judge Black declining to act as secretary, Mr. A. G. B. Bannatyne was appointed in his place, and several settlers were selected to keep order in the crowd. Commissioner Smith then came forward and continued the reading of his papers, the first one being the following letter from the Governor-General to Governor Mactavish.

GOVERNMENT HOUSE,

OTTAWA, December, 6th, 1869.

W. MACTAVISH, Esq., Governor of Assiniboia.

SIR—I had the honor to address you in my capacity as representative of the Queen and Governor-General of Her Majesty's British North-

American possessions, and enclosed for your information, a copy of a Message received from Earl Granville in reply to the account which I sent officially of the events occurring in Red River Settlement. The Message conveys the mature opinion of the Imperial Cabinet. The proclamation I have issued is based on it, and you will observe that it refers all who have desires to express, or complaints to make, to refer to me as invested with authority on behalf of the British Government. And the inhabitants of Rupert's Land of all classes and persuasions may rest assured that Her Majesty's Government has no intention of interfering with, or setting aside, or allowing others to interfere with the religions, the rights, or the franchise hitherto enjoyed, or to which they may prove themselves equal.

Make what use you think best of this communication, and of the enclosed.

I have the honor to be,

Your most obedient and humble servant,

JOHN YOUNG.

The Commissioner then read a copy of the letter written by Hon Joseph Howe to Mr McDougall, on the 7th December containing the assurances to the people of Red River, as quoted by us in the last chapter, after which he read the letter of instructions given to Mr. McDougall on 28th September, 1869. This closed the reading of the papers entrusted to the Special Commissioner, but the Proclamation of the Governor-General having evidently been concealed or destroyed was never made public at Red River, either on that occasion or afterwards, a circumstance which shews the extent to which Riel and his immediate followers would have gone had they obtained possession of Mr. Smith's papers.

When the reading of the several documents had been finished, the meeting adjourned for half an hour, and on re-assembling it was moved by Riel, seconded by Mr. A. G. B. Bannatyne, and carried, that twenty representatives from the English side, and twenty from the French, should meet on the 25th January to consider the subject of Mr. Smith's commission, and to decide what would be best for the welfare of the country.

As the motion was being put, a settler objected that the resolution seemed to cast a doubt on Mr. Smith's commission, whereupon Riel and O'Donohue both exclaimed:—"We accept the commission as genuine, and are merely to consider what is to be done under it." A committee was then appointed to apportion the English representatives for the different parishes in the settlement, and to determine the mode of election, after which short speeches were made by the Bishop of Rupert's Land, Father Richot, and the meeting was closed by Riel addressing the crowd in the following words:—

"Before this assembly breaks up, I cannot but express my feelings, however briefly—I came here with fear—We are not yet enemies—but we came very near being so. As soon as we understood each other we joined in demanding what our English fellow subjects, in common with us, believe to be our just rights. I am not afraid to say our rights: for we all have rights. We claim no half rights, mind you, but all the rights we are entitled to. Those rights will be set forth by our representatives, and, what is more, gentlemen, we will get them."

Immediately after the meeting, the utmost good feeling prevailed—cheers were given and caps thrown in the air—French and English shook hands, and, for the first time in many months, a spirit of unity between the two classes of settlers appeared. Thus the Special Commissioner scored a second triumph in uniting the people together for the purpose of conjointly placing their grievances before him.



CHAPTER XXIX.

THE CONVENTION AND BILL OF RIGHTS.

ON the 21st December, 1869, the committee appointed to apportion the English representatives, met at the residence of the Bishop of Rupert's Land, and made the following allotments : —

Winnipeg	1	St. James	2
St. John	1	Headingly	2
Kildonan	2	St. Anns	2
St. Pauls	1	St. Margarets	1
St. Andrews	3	St. Marys	1
St. Clements	2		—
St. Peters	2		20

The choice of delegates then occupied the attention of the people, English and French, throughout the whole settlement, and a good deal of feeling was evinced by rival parties in their efforts to secure the election of favorite candidates. In Winnipeg, especially, there was much rivalry between the American and British elements. Mr. Alfred H. Scott being the standard-bearer of the former, and Mr. A. G. B. Bannatyne of the latter. The responsible men of the town mostly supported Mr. Bannatyne, but Mr. Scott had the largest number of votes and was elected, much to the disappointment of the residents, who had the most at stake in the place. The *New Nation* continued to preach annexation, but the doctrine found no re-

nse in the settlement, and copies of the paper were "return-
' to the office of publication, in large numbers, marked
used. It may be imagined, therefore, that the election of
red H. Scott, a young man of no responsibility in the com-
nity, and the mouth-piece of the American party, was not
y acceptable to the English-speaking settlers, and, as it
ned out, the selection of this young man was a most unfor-
ate blunder.

While the English side was busy in choosing their repre-
tatives, the French were no less actively employed, and
l spared no effort to bring about the election of men favor-
to him, in opposition to those who had been instrumental
ringing in Commissioner Smith's papers, and supporting
gentleman in the stand he took. Riel, however, was only
ly successful, as, after the elections, it was found that a
l sprinkling of French half-breeds were chosen representa-
s, who were not altogether subservient to Riel's will.
s a matter of record, it may be well to give the full list of
ibers selected :—

FRENCH REPRESENTATIVES.

Pauls :—

Pierre Thibert.

Alex. Pagé.

Magnus Birston.

Francois Xavier :—

Xavier Pagé.

Pierre Poitras.

Charles :—

Baptiste Beauchemin.

St. Vital :—

Louis Riel.

Andrè Beauchemin.

St. Norbert :—

Pierre Parranteau.

Norbert Caronce.

B. Touton.

Pointe Coupee :—

Louis Lascerte.

Pierre Delorme.

FRENCH REPRESENTATIVES.

St. Boniface:—

W. B. O'Donohue

Ambroise Lapine

Jos. Genton.

Louis Schmidt.

Oak Point:—

Thomas Harrison

Charles Nolin

Pointe à Grouette —

George Klyne.

ENGLISH REPRESENTATIVES.

St. Peter's:—

Rev. Henry Cochrane

Thos. Spence

St. Johns.

James Ross.

St. James:—

Geo. Flett.

Robert Tait

St. Clements:

Thos. Bunn

Alex. McKenzie

Headingley

John Taylor

Wm. Lonsdale

St. Andrews:—

Judge Black.

Donald Gunn, Senr.

Alfred Boyd.

St. Marys:—

Kenneth McKenzie.

St. Margarets:—

Wm. Cummings.

St. Pauls:—

Dr. Bird.

St. Annes:—

Geo. Gunn.

D. S. Spence.

Kildonan.—

John Fraser.

John Sutherland.

Winnipeg:—

Alfred H. Scott.

On the 23rd Dr. Schultz escaped from Fort Garry, he was reported to have gone in the direction of Low Garry, Riel sent a party of his men to recapture him, but did not succeed in finding him.

On the 25th, the representatives of the settlers met, several of the French delegates had not arrived, the

the above mentioned duties, shall be met by the

the burden of public expense in this territory is
the country be governed under a Lieutenant Governor
Legislature, three members of whom being heads of
government, shall be nominated by the Governor.

the expiration of this exceptional period, the country
regards its local affairs, as the Provinces of Ontario
governed by a Legislature by the people, and a Min
it under a Lieutenant Governor appointed by the
of Canada

shall be no interference by the Dominion Parliament
of this territory other than is allowed in the provinces,
they shall have and enjoy in all respects the same privi
and aids in meeting the public expenses of this terri
they have and enjoy

the North West remains a territory, the legislature
shall laws, local to the territory, over the veto of the
by a two thirds vote

and pre-emptive law

the North West remains a territory, the sum of
expended for schools, roads and bridges

public lands shall be at the expense of the Dominion

to guard and maintain uninterrupted steam communication
with the Pacific and also the establishment by
the Government of a railway as soon as it reaches the

military force in this country be composed of
country, and

by a vote of 23 yeas, and consequently

engages the Dominion in the leg
covenants and Acts of the legisla

Supreme Court speak the French and

between the Dominion and the several
as possible

of the country entitled as to more
the Canadian Parliament or in the
Assembly

This position taken by the Commissioner was so palpably correct, that Riel could not object to it, and so it was resolved to form a committee to frame a list of rights to be submitted to Mr. Smith, and the following were the delegates appointed to act :

French—Louis Riel, Louis Schmidt, Charles Nolin.

English—James Ross, Dr. Bird, Thomas Bunn.

All these gentlemen were natives of the country.

The convention then adjourned to permit the committee to proceed with their labors, and did not meet again until the 29th, and in the meantime Riel took it upon himself to call upon Commissioner Smith and propound a question whether the Dominion would be willing to create the Red River Territory into a province, but he did not succeed in obtaining any satisfaction on the subject, as will be seen by reference to Mr. Smith's report contained in Chapter XXXI.

The committee having finished their report, the delegates commenced on the 29th January, to consider it clause by clause, and, without going into the details of the debates that took place, we will give the "Bill of Rights," as presented and passed :

LIST OF RIGHTS.

1st.—That in view of the present exceptional position of the North-West, duties upon goods imported into the country shall continue ~~as~~ present (except in the case of spirituous liquors), for three years, and such further time as may elapse until there be uninterrupted railroad communication between Red River Settlement and St. Paul, and also steam navigation between Red River Settlement and Lake Superior.

2nd.—As long as this country remains a territory in the Dominion of Canada, there shall be no direct taxation except such as may be imposed by the local legislature for municipal or other local purposes.

3rd. That during the time this country shall remain in the position of a territory in the Dominion of Canada, all military, civil, and other public expenses in connection with the general government of the country that have hitherto been borne by the public funds of the settlement, &c.

and the receipt of the above mentioned duties, shall be met by the Dominion of Canada.

4th.—That while the burden of public expense in this territory is borne by Canada, the country be governed under a Lieutenant-Governor from Canada, and a Legislature, three members of whom being heads of departments of the government, shall be nominated by the Governor-General of Canada.

5th.—That after the expiration of this exceptional period, the country shall be governed, as regards its local affairs, as the Provinces of Ontario and Quebec are now governed by a Legislature by the people, and a Ministry responsible to it under a Lieutenant-Governor appointed by the Governor-General of Canada.

6th.—That there shall be no interference by the Dominion Parliament in the local affairs of this territory, other than is allowed in the provinces, and that this territory shall have and enjoy in all respects the same privileges, advantages and aids in meeting the public expenses of this territory, as the provinces have and enjoy.

7th.—That while the North-West remains a territory, the legislature have a right to pass all laws, local to the territory, over the veto of the Lieutenant-Governor by a two-thirds vote.

8th.—A homestead and pre-emption law.

9th.—That while the North-West remains a territory, the sum of \$5,000 a year be appropriated for schools, roads and bridges.

10th.—That all the public buildings be at the expense of the Dominion Treasury.

11th.—That there shall be guaranteed uninterrupted steam communication to Lake Superior, within five years, and also the establishment by the Dominion of a connection with the American railway as soon as it reaches the international line.

12th.—That the military force required in this country be composed of natives of the country, during four years.

The above was lost by a vote of 16 yeas to 23 nays, and consequently struck out of the list.)

12th.—That the English and French languages be common in the legislature and courts, and that all public documents and Acts of the legislature be published in both languages.

13th.—That the Judge of the Supreme Court speak the French and English languages.

14th.—That treaties be concluded between the Dominion and the several Indian tribes of the country, as soon as possible.

15th.—That, until the population of the country entitles us to more, we have three representatives in the Canadian Parliament; one in the Senate, and two in the Legislative Assembly.

16th. — That all the properties, rights and privileges, as hitherto enjoyed by us, be respected, and that the recognition and arrangement of *Local* customs, usages and privileges be made under the control of the *Local* Legislature.

17th. That the Local Legislature of this territory have full control of all the lands inside a circumference having Upper Fort Garry as a centre, and that the radius of this circumference be the number of miles that the American line is distant from Fort Garry.

18th. That every man in the country (except uncivilized and unsettled Indians), who has attained the age of 21 years, and every British subject a stranger to this country, who has resided three years in this country and is a householder, shall have a right to vote at the election of a member to serve in the legislature of the country, and in the Dominion Parliament, and every foreign subject, other than a British subject, who has resided the same length of time in the country, and is a householder, shall have the same right to vote, on condition of his taking the oath of allegiance, it being understood that this article be subject to amendment exclusively by the Local Legislature.

19th. — That the North-West Territory shall never be held liable for any portion of the £30,000 paid to the Hudson's Bay Company, or for any portion of the public debt of Canada, as it stands at the time of our entering the Confederation; and if thereafter we be called upon to assume our share of said public debt, we consent only on condition that we first be allowed the amount for which we shall be held liable.

As soon as the last article had been carried, Riel proposed that, as they had fully discussed the terms upon which they would become a territory in the Dominion of Canada, the delegates should now consider the advantage of entering Confederation as a province. This question was accordingly fully debated upon during February 4th, and resulted in the opinion of the convention being in favor of becoming a territory.

It was then proposed that Commissioner Smith should be requested to attend the meeting on the following day, when Riel rose and said that he had still another clause to propose, namely:—

“That all bargains with the Hudson's Bay Company for the transfer of this territory be considered null and void; and

that any arrangements with reference to the transfer of this country shall be carried on only with the people of this country."

The next day this proposal was discussed, and, when put in form of a motion, was defeated by a vote of 17 yeas and 22 nays, upon which Riel arose in excitement, exclaiming, "The devil take it; we must win. The vote may go as it likes, but the measure must be carried." He then abused, in very strong language, three of the French half-breed delegates, Nolin, Klyne, and Harrison, who had voted against his motion, but Nolin resented the attack vigorously. "Let me tell you, Mr. Riel," he said, "that I was sent here by my parish. I never sought the position, and if, as you say, I am lost to public affairs, I would be rather glad of it. You, Mr. Riel, did what you could to prevent my coming here, and failed; and if it suited my purpose to come back again, I would come at the call of my parish in spite of you." The convention then broke up in some confusion, but not until it was arranged that Commissioner Smith's views on the "List of Rights" should be heard the next day.

In the meantime Riel, who seemed to have lost his head over the defeat which he had suffered in the convention, went in a cowardly manner to the sick-bed of Governor Mactavish and abused him, even, it is said, threatening to have him shot that night. He then took Dr. Cowan prisoner, and confined him with the rest of the prisoners, and behaved altogether like a madman. He next took Mr. A. G. B. Baunatyne prisoner, for having visited the fort against his orders, and started out to capture Chas. Nolin, but the latter and his friends showed such a bold front that Riel abandoned the attempt. If he had persisted, there is no doubt the Nolins would have killed him.

A guard was then sent to capture the mails, but did not succeed, and matters generally were being carried by Riel in such a high-handed manner that the English delegates hesitated for a time about attending the convention. They, however, finally resolved to attend, and on the 7th February, at 11 a.m., Commissioner Smith, who was present by invitation received the List of Rights for consideration, one p.m. being the hour arranged for hearing his answers, and references to his report will show the arbitrary and discourteous treatment accorded to him by Riel while he was engaged in this most important work.

At one o'clock, however, the Commissioner met the delegates, as agreed upon, and addressed them as follows:—

“With regard to the first article in the Bill of Rights, the convention has already had a communication to the effect that the Dominion Government had provided, by Order-in-Council, for the continuance of the present tariff of duties in the territory for at least two years; and I feel convinced that the Government will be prepared to recommend to Parliament such measures as will meet the views of the convention, as expressed in this article.

As to the second and third, I believe the Canadian Government will ask the Dominion Parliament to meet the views of the convention and their constituents in respect to these articles.

Fourth—The Canadian Government assured me of their desire to consult the wishes of the people of the territory in respect to matters connected with the composition of the Local Legislature, and of their intention to select at least two-thirds of the council from among the residents. This council would have reported as to the best mode of proceeding in introduc-

the elective principle, and Parliament would then have been asked to pass an Act on the subject, the Government having no power to settle such a matter without an Act. Bearing this in mind, I do not hesitate to give it as my opinion that the Dominion Government will ask Parliament to provide a liberal government for the country while it remains a territory.

Fifth—I have the most explicit assurance from the Canadian Government that such will be the case.

Sixth—For this, the Dominion Government will provide in a liberal spirit.

Seventh—This article brings up some constitutional considerations, with which it would be presumption on my part were I to deal summarily. But I will repeat most distinctly that the Dominion Government will pay the utmost deference to the wishes of the convention as regards this and all other matters in connection with the government of the country, and I have full confidence that the decision arrived at will be acceptable to the people.

Eighth—I have been instructed by the Canadian Government to make known to the people of this settlement that all property held by residents in peaceable possession will be secured to them, and that a most liberal land policy in regard to the future settlement of the country will be adopted—every privilege in this respect enjoyed in Ontario or Quebec being extended to the territory.

Ninth—I feel certain that an amount even exceeding that here mentioned will be appropriated for the purposes referred to.

Tenth—I can safely promise that the Dominion Government will defray the cost of all the public buildings required for the general business of the territory.

Eleventh—I do not hesitate to give this assurance, ~~as~~ works on Lake Superior route, which have been progressing actively since the early part of last summer, will doubtless be completed much within the time specified. As to the railway to Pembina, shortly after the American line reaches that point, it will certainly be carried out.

Twelfth—This will unquestionably be provided for.

Thirteenth—The answer given to No. 12 will apply equally here.

Fourteenth—Fully alive to the necessity of this, the Dominion Parliament will not fail to take an early opportunity of dealing with the matter, in order to extinguish, in an equitable manner, the claims of the Indians, so that settlers may obtain clear and indisputable titles.

Fifteenth—The convention will not expect me to speak definitely as to the number of representatives to be allotted to the territory, but I can promise that the circumstances and requirements of the country will be fully and liberally considered in dealing with this matter.

Sixteenth—On the part of the Canadian Government, as well as of Her Majesty's representative in British North America, and also as coming immediately from the Sovereign, assurances have been given to all, that the properties, rights and privileges hitherto enjoyed by the people of the territory would be respected, and I feel sure that the Dominion Government will confide to the Local Legislature the recognition and arrangement of local customs, usages and privileges.

Seventeenth—My knowledge of the country, and of the extent to which the concessions here desired might affect public works, etc., is too limited to permit me to give any decided opinion on the subject, further than that full and substantial justice will be done in the matter.

much anxiety to hear that officer so express a belief that you would be inclined to act upon it ; although I cannot but add that I fully share in his feeling of mortification at being so circumstanced as to be constrained to counsel such a course.

I have not myself seen Colonel Dennis's communications to you on the subject of these unfortunate occurrences, but he has been kind enough to read them to some members of the Council, for the purpose of enabling them to judge of the accuracy and completeness of his information, and upon their assurance I have no hesitation in saying that the contents of the Colonel's communications to you, may be relied upon as conveying in the main a correct narrative of the occurrence to which they refer, and a fair representation of the popular sentiment throughout the settlement.

The question which now presses itself upon every mind is, what is to be done to secure your peaceable entrance into the settlement ? So far, all our expedients have failed ; and unless the efforts of a temporizing character, which are still being earnestly used for the dispersion of the malcontents, succeed, it is to be feared that your coming into the settlement, at the present moment, would not be free from considerable danger.

From Col. Denis's despatches and this letter, you will derive as full and accurate knowledge of the position of the affairs here, as I believe can very well be given in writing ; and having satisfied myself that you are acquainted with all the material circumstances of the case, I think that you are now in possession of the principal data for enabling you to determine the important question of your movements : and I need not say that shall most anxiously await your decision.

But without, of course, in any way meaning to prescribe the line to be pursued, I may be permitted to add that, to those who with myself have been deliberating upon the most advisable steps to be taken in circumstances of so embarrassing and so critical a nature, there have been suggested three courses for meeting the difficulty as it now stands.

The first is, that, there happily being among even the French half-breeds a considerable element of well-disposed persons, there should be carefully selected, from that section, a body of from twenty to thirty men, who, mounted and armed, should proceed to Pembina and escort you entirely clear from the roads on which the malcontents are known to have taken up their positions.

The second is, that of making a public call upon the whole loyal portion of the settlement to turn out in the cause of order, and to the number of say 300 unarmed, able-bodied men, if such a force could be mustered, proceed to Pembina and escort you into the settlement, by the usual route, whether the malcontents remain upon it or not.

And the third is, that you should remain at Pembina and await the issue of conciliatory negotiations, with the view of procuring a peaceable dispersion of the malcontents.

Now, with respect to the first of these courses, it is, in my opinion, open to the grave objection that even if it were to issue in your safe arrival amongst us, it would obviously involve a virtual acknowledgment of the ascendancy of these lawless people, and would have a direct tendency to inspire them with fresh courage in the prosecution of their designs ; and besides, I am strongly of opinion that under present circumstances your personal safety could not be sufficiently provided for by the attendance of so small a body of men as that proposed—a body large enough to provoke a collision, but probably far from strong enough to meet it.

The second is one which, all along, the local authorities have been pondering, but one which, as in somewhat similar emergencies on former occasions, they have hitherto shrunk from adopting, partly from a misgiving as to the extent and the spirit of the response to such a call as that proposed, and partly also, but principally, from an apprehension of precipitating a collision between different sections of the people, which might plunge, not only the settlement, but the whole territory into all the disasters of a war of races and religions—a war in which the legitimate object, for which it had been begun, would probably soon be lost sight of, and passion and prejudice alone animate the minds of those engaged in it.

To the council and myself it appears that under the present circumstances the third proposal is the only one that can be regarded as prudent or practicable ; and it is, therefore, our opinion that you should remain at Pembina, and await the issue of conciliatory negotiations, in the hope of procuring a peaceable dispersion of the malcontents.

I have only to add that although this letter proceeds ostensibly from myself, it embodies the views of the Council of Assiniboine, and that, at a meeting of the council to-day, held for the express purpose, it was unanimously adopted as the communication which I should immediately make to you.

Earnestly hoping that ere long some peaceable solution of all these difficulties may be arrived at,

I am, my dear sir,

Yours faithfully,

W. MACTAVISH.







His Grace Archbishop Tache.





His Grace Archbishop Tache.





CHAPTER XXX.

THE PROVISIONAL GOVERNMENT.

DURING the sitting of the convention, the delegates on the English side were unfortunately hampered by the limited powers invested in them by their constituents, while the French, having a free hand, worked unitedly, and in such a way as to give Riel more power than he should have had, and before the representatives took their departure for home, he again brought up the subject of the Provisional Government, for the purpose of getting the English pledged to it until such time as their delegates to Ottawa could be heard from. The English, however, before coming to any conclusion on the matter deemed it advisable to consult Governor Mactavish, and, on a committee, consisting of Messrs. Sutherland and Fraser, visiting him for that purpose, he exclaimed on the question being put to him, "Form a government for God's sake, and restore peace and order in the settlement." But on being asked whether he would delegate his authority to another, he replied, "I am dying, and will not delegate my power to anyone," whereupon Riel asked whether Mr. Mactavish declared himself the Governor, and on being answered in the negative, remarked brutally, "It is well he did not, as out of this convention I would have formed a council of war, and we would have seen the consequences."

For peace sake, the English at last consented to the forma-

tion of the Provisional Government, and the following motion was carried: "That the committee previously appointed to draw up the List of Rights be re-appointed to discuss, and decide on the basis and details of the Provisional Government, which we have agreed is to be formed for Rupert's Land and the North-West Territory." Mr. W. B. O'Donohue took the place of Mr. Schmidt, who was absent, and the following was the result of the committee's labors:

1st. That the council consist of twenty-four members, twelve from the English, and twelve from the French-speaking population.

2nd. Each side decide as to the appointment of its own members of council.

3rd. That Mr. James Ross be Judge of the Supreme Court.

4th. That all the Justices of the Peace, Petty Magistrates, Constables, etc., retain their places, with the exception of Mr. Denae, J.P., whose place shall be taken by Norbert Larocce.

5th. That Henry McKenney, Esq., be sheriff, as before.

6th. That Dr. Bird be coroner, as before.

7th. That the General Court be held at the same times and places as formerly, and that the Petty Court be held in five districts: Lower Middle, Upper, St. Anns, (Point de Chene), and St. Margarets, (Laprairie).

8th. That Mr. Bannatyne be continued Postmaster.

9th. That John Sutherland and Roger Goulet be Collectors of Customs.

10th. That the President of the Provisional Government be not one of the twenty-four members.

11th. A two-thirds vote to override the veto of President of the Provisional Government.

12th. That Mr. Thos. Bunn be Secretary to Provisional Government, and Louis Schmidt Under Secretary.

13th. That Mr. W. B. O'Donohue be Treasurer.

It will be observed that nearly all the persons appointed to office were English, but the most important position of all, that of President, had still to be filled, and although it was late in the evening when this question came up, the convention took it in hand, and a stormy discussion ensued. Riel and his friends, however, carried their point, and he was elected. By

his time it was midnight, and when the news went out that the Provisional Government was formed, and would be followed immediately by the release of the prisoners, there was great rejoicing, bon-fires being lighted, and fireworks set off, the latter being the property of Dr. Schultz, which he had imported for the purpose of celebrating the in-coming of Hon. Wm. McDougall.

Governor Mactavish, Dr. Cowan, and Mr. Bannatyne were at once released, but Commissioner Smith was detained in the Fort, practically a prisoner, owing to fears that his influence among the settlers might interfere with certain plans, which Riel had in view.

The 11th February, 1870, was the last day of the convention, and was taken up in apportioning the settlement for election purposes. Riel then stated, as the first act of the New Provisional Government, that Dr. Schultz's property was confiscated, and also the office of the *Nor'-Wester*, most of the type belonging to the latter being afterwards, it is said, run into bar lead and bullets.

The following delegates for the mission to Ottawa were then appointed:—Judge Black, Rev. M. Richot, and Alfred H. Scott, the selection of the latter gentleman being universally denounced by the English settlers as soon as it became known.

On the 12th, sixteen prisoners were released, namely, Wm. Hallett, Charles Garrett, Wm. Drever, jr., Jas. Mulligan, Chas. Stodgall, T. Franklin Murray, D. U. Campbell, Jas. Stewart, A. R. Chisholm, Dr. O'Donnell, Langman H. Werghtman, A. Wright, and two half-breeds (names unknown), and at the same time M. Davis, another prisoner, escaped while the others were being liberated. There was, however, a good deal

of dissatisfaction throughout the English parishes at the non-release of the whole of the men confined in Fort Garry, and Riel, if he had released them, would not only have strengthened his position, but he would have prevented the unfortunate occurrences that afterwards took place. A movement was now commenced at Portage la Prairie, to raise a body of men to liberate the prisoners, and a party numbering between 60 and 100 came down as far as Headingly, where they camped and after a short stay proceeded to the Lower Settlement. On their way they stopped at a house where Riel had been in the habit of staying at night, in the hope of capturing him but fortunately for himself, he happened to be absent at the time. An effort was then made to raise a force for the purpose of attacking Fort Garry, which to a certain extent was successful, and at once had the effect of gathering the French in numbers around Riel, and for a time it looked as if the two sides of the settlement would go to war with each other. A large band of English and Scotch settlers indeed collected in Kildonan, and rumors were plentiful as to their proposed movements.

The rising, however, was ill-timed and unfortunately productive of consequences, which nearly set the whole settlement in a blaze. The party at Kildonan, it appears, took a couple of men prisoners on suspicion of being Riel's spies, and one of these named Parisian, in his efforts to escape, shot a young Scotch settler, the son of Mr. John Sutherland, who afterwards became one of the senators from Manitoba. Young Sutherland died from his wounds, which only increased the bitterness of feeling existing, and Parisian, who was also badly wounded by his captors, was kept a prisoner at the Stone Fort, and ultimately succumbed to his injuries on being removed to his home.



H. Williams.	D. Taylor.	Sergeant Power.
Alex. McPherson	A. Taylor.	John Ivy.
W. G. Bird.	Geo. Newcombe.	G. Parker.
Alex. McLean.	H. Taylor.	And two unknown.
Jos. Paquin.	J. B. Morrison.	

Thus, hardly had one set of prisoners been released, when their places were filled by others, and the menace to the peace of the settlement continued. On the one hand, Riel was too dilatory in releasing the first prisoners, and on the other the Portage party, although prompted by a worthy desire to rescue their comrades in prison, were ill-advised in the step they took, at a time when there was every prospect of a union of English and French, for the purpose of ending the difficulties by treating with Canada.

The capture of the Portage party now served to keep up the excitement in the settlement, especially as rumors began to float about that some of the prisoners had been condemned to be shot. A court martial, as Riel termed it, was indeed held, and four men had sentence of death passed upon them Captain Bolton being of the number, and when Mr. and Mrs. Sutherland (whose son was shot by Parisian) heard this, they went and pleaded for their lives. Riel granted the lives of three, but Captain Bolton, he declared, would be shot.

Several prominent residents then interceded for the condemned man, but without success, and the people living in the vicinity of Fort Garry felt the most gloomy forebodings of what would likely happen should the execution take place. Midnight of the 19th February was the hour set for the shooting of Bolton, and on the evening of that day groups of men were seen conversing quietly, but gloomily, over the prospect before the country, should blood once be shed. Numbers of the English parishes had expressed a determination not to

send members to the Provisional council, and Judge Black had declined to act as a delegate to Ottawa, so that the hope of cementing a union of English and French was not promising. Added to this, the rising of the English settlers and the action of the Portage party, had exasperated Riel so, that he was not in an amiable mood.

Commissioner Smith, on hearing of Bolton's danger, lost no time in seeing Riel, and used every argument to turn him from his purpose. He pointed out the impossibility of being able to unite the two sides of the settlement, if blood was shed in the way Riel contemplated, and at last undertook to go and visit the English parishes, and induce them to send members to the council, if he would agree to spare Bolton's life. Riel finally agreed to do so, and stated further, that on the first meeting of the Provisional Government he would release all the prisoners.

There was a deep feeling of relief throughout the settlement when it became known that Bolton would not be shot, and Commissioner Smith, true to his word, visited the English parishes, and by his influence and advice prevailed upon them to select and send their delegates to Fort Garry, a work in which he was assisted by the clergy and other prominent men. On the 26th February, the elections were over and the English had practically joined under Riel, but still matters looked gloomy. Rumors of all sorts were afloat—of Indians on the war path—of risings among the settlers, and, added to this, periodical raids of the French upon different parts of the settlement, for the ostensible purpose of capturing Dr. Schultz, whom they declared they would take dead or alive if they found him. No word was heard of the delegates leaving for Canada. No council was called, and Bishop Taché, who was

daily expected, did not arrive, it being hoped that he would influence Riel to adopt a more moderate course than he was doing. Reports were constantly being heard regarding the hardships of the prisoners, and the common exclamation was "God knows where all this is going to end." Was it a forerunner of the terrible crime which was soon to be perpetrated? On the 4th March, a deed was committed that struck horror into the minds of all classes in the settlement—an act of cruelty that can offer no palliation for its committal and one which suddenly plunged the whole community into mourning. Nothing transpired to prepare the minds of the people for what was going to take place. Rumor, generally so ready to make use of her pliant tongue, was in this instance silent, the deed was as sudden as it was horrible. No time was given to allow of any steps being taken to prevent it. A human being was tried at night, told to prepare for death the next morning, and shot at twelve o'clock that day. Oh! shame on the spirit that prompted such an act!

Commissioner Smith only learned of the contemplated murder about an hour before it actually took place. We say murder, for it is the only word that can express its true character. Hurrying to Riel, he reasoned fervently with him, and implored him not to stain and burden the cause of his countrymen and the settlement at large with blood, when everything tended to a favorable termination of the difficulties. But Riel was obdurate, and the strong appeal made by Mr. Donald A. Smith for the life of a fellow being failed, because the man to whom he addressed his words was at the time a madman, whom circumstances had placed in a position he was utterly unfitted to occupy.

At twelve o'clock noon, Thomas Scott, blindfolded, was led

out, attended by the Rev. Geo. Young, to a spot a few yards distant from the postern gate, and, while the clergyman prayed, the unfortunate man knelt on the snow. Then a volley was fired which did not kill him, when one of the French half-breeds shot him through the head, and all was over. The body was refused burial outside of the fort, and to this day it is not known where the grave of the murdered man is located.

Thus ended this dreadful tragedy, and with it all hope of a sincere union between the French and English : from that day also, Riel's power amongst his own people decreased, until at last he was left almost alone, and he could not have taken a surer step to give his enemies a victory over him, than when he committed this vile deed. The feeling of horror at the crime was as strong amongst a large portion of the French as it was with the English, and it must not be thought that it was the desire of the French people that Scott should suffer, for such was not the case. One can hardly imagine the degree of indignation which swept over the settlement when news of the shooting of Scott spread abroad. The feeling, to a great extent, was subdued, but not the less strong on that account, and if representatives had not been elected by the English to attend the council of the Provisional Government, it is doubtful whether any further steps to join with the French would have been taken.

Commissioner Smith, having now practically brought his mission to a successful termination, resolved to return to Canada, but it was not until the 18th March that he was able to get away. He had succeeded, in the first place, in protecting his credentials from Riel's clutches, and afterwards in presenting them to a meeting of settlers representing all classes of the community. He had then brought about a convention of

delegates from all parts of the settlement who had presented their grievances before him, and appointed a delegation on his invitation, to go to Ottawa, and treat direct with the Canadian Government, and, by his influence, he had induced the English and French to work together for the preservation of peace until such time as the transfer of the country could be effected. He had, in fact, brought the people of Red River and Canada together to settle their disputes, and it only remained for these two to complete a settlement. What more was there to be done? The North-West was virtually saved to Canada without the bloodshed and desolation which a civil or Indian war would have caused. A delicate and exceedingly difficult mission had been fulfilled, and we refer our readers to the able report of the Commissioner, which will be found in the next chapter, for the particulars regarding the many trying obstacles which he had to overcome before success crowned his efforts.

On the 9th March, the following notice appeared in the *New Nation*, which, by this time, had dropped its annexation sentiments:—

A meeting of the Council of the Provisional Government of Rupert's Land is hereby ordered to be held at Fort Garry, on Wednesday, 9th instant.

By order of the President,

LOUIS SCHMIDT,

Secretary.

But as there were very few of the English present, a number of them not having seen the notice, the meeting, after Riel had addressed it, adjourned until the 15th. The following notice was then sent out to each of the representatives elected:—

Mr. _____

You are hereby summoned to attend a meeting of the Council of the Provisional Government, to be held at Fort Garry, on Tuesday, the 9th instant, at 10 o'clock a.m.

By order of the President,

THOS. BUNN,
Secretary.

Headquarters of Provisional Government,
Fort Garry, 9th March, 1870.

In the meantime, Bishop Taché, who had been expected for some time, arrived in the settlement, on the 8th March. He had been absent in Rome during all the troubles at Red River, and, on hearing of them, had at once placed his services at the disposal of the Canadian Government, and undertook a winter voyage across the Atlantic to go to Red River. On the 16th February, 1870, Hon. Joseph Howe, Secretary of State, addressed the following letter to him:—

DEPARTMENT OF SECRETARY OF STATE

FOR THE PROVINCES,

February 16th, 1870.

The Very Reverend the Bishop of St. Boniface:—

MY LORD—I am commanded by His Excellency the Governor-General to acknowledge and thank you for the promptitude with which you placed your services at the disposal of this Government, and undertook a winter voyage and journey that you might, by your presence and influence, aid in the repression of the unlooked-for disturbances which had broken out in the North-West.

I have the honor to enclose for your information:—

—A copy of the instructions given to the Honorable Wm. McDougall, on the 28th September last.

—A copy of a further letter of instructions addressed to Mr. McDougall, on the 7th November.

—Copy of a letter of instructions to the Very Reverend Vicar-General Fabre, on the 4th December.

—Copy of a Proclamation issued by His Excellency the Governor-General, addressed to the inhabitants of the North-West Territories, by the express desire of the Queen.

—Copy of a letter addressed to the Secretary of State by Donald A. Smith, Esq., of Montreal, on 24th November.

—Copy of a letter of instructions addressed by me to Mr. Smith, on the 1st December last.

7—A semi-official letter addressed by the Minister of Justice, on the 3rd January, 1870, to Mr. Smith.

8—Copy of the commission issued to Mr. Smith on 17th January, 1870.

Copies of the Proclamation issued by Mr. McDougall, at or near Pembina, and the commission issued to Colonel Dennis, having been printed in the Canadian papers, and widely circulated at the Red River, are it is assumed, quite within your reach, and are not furnished, but it is important that you should know the proceedings by which the lives and properties of the people of Rupert's Land were jeopardized for a time, were at once disavowed and condemned by the Government of this Dominion, as you will readily discover in the despatch addressed by me to Mr. McDougall, on the 24th December, a copy of which is enclosed.

Your Lordship will perceive, in these papers, the policy which it was and is the desire of the Canadian Government to establish in the North-West. The people of Canada have no interest in the erection of institutions in Rupert's Land, which public opinion condemns, nor would they wish to see a line race of people trained to discontent and insubordination, by the pressure of an unwise system of government, to which British subjects are unaccustomed or averse. They look hopefully forward to the period when institutions, moulded upon those which the other provinces enjoy, may be established, and in the meantime would deeply regret if the civil and religious liberties of the whole population were not adequately protected by such temporary arrangements as it may be prudent at present to make.

A convention has been called, and is now sitting at Fort Garry, to collect the views of the people as to the powers which they may consider it wise for parliament to confer, and Local Legislature to assume. When the proceedings of that conference have been received by the Privy Council you may expect to hear from me again, and, in the meantime, should they be communicated to you on the way, His Excellency will be glad to be favored with any observation that you may have leisure to make.

You are aware that the Very Reverend the Vicar General Thibault and Messrs. Donald A. Smith and Charles de Salaberry are already in Rupert's Land, charged with a commission from Government. Enclosed are letters to those gentlemen, of which you will oblige me by taking charge, and I am commanded to express the desire of His Excellency that you will co-operate with them in their well-directed efforts to secure a peaceful solution of the difficulties in the North-West Territories, which have caused His Excellency much anxiety, but which, by your joint endeavors, it is hoped may be speedily removed.

I have the honor to be

Your obedient servant,

JOSEPH HOWE.

On the Sunday following his arrival (13th March, 1870), Bishop Taché preached an eloquent sermon, in which he expressed his sorrow at the disturbances which had taken place, and counselled united action on the part of Catholics and Protestants for the common good, as Canada wished only to do what was fair for the people of the North-West.

On the 15th, the Council of the Provisional Government held its meeting, the English members being punctual in their attendance, and the following motions were carried : —

1st. That we, the representatives of the inhabitants of the North-West, consider that the Imperial Government, the Hudson's Bay Company, and the Canadian Government, in stipulating for the transfer of the government to the Dominion Government, without first consulting, or even notifying, the people of such transfer, have entirely ignored our rights as people of the North-West Territory.

2nd. That notwithstanding the insults and sufferings borne by the people of the North-West heretofore ; which sufferings they still endure—the loyalty of the people of the North-West towards the Crown of England remains the same, provided the rights, properties, usages and customs of the people be respected ; and we feel assured that as British subjects such rights, properties, usages and customs will undoubtedly be respected.

In the meantime, Bishop Taché had entered the chamber, and, on being introduced to the members of the council, addressed them, referring to his trip from Rome, on hearing of the troubles, the good intentions of Canada to the people of the North-West, and the satisfaction of the Dominion Government at the prospect of meeting their delegates in Ottawa. He stated that his mission was one of good-will to the people of Red River, and alluded to the actions of the Canadian officials while at Pembina, quoting from a speech made in the Canadian Parliament by Mr. Howe, to shew that the course pursued by Mr. McDougall was condemned by the Dominion authorities. At the close of his speech, His Lordship asked

for the release of half the prisoners, but why the whole number was not included in the request does not appear, as Riel had given a solemn promise to Commissioner Smith that all the men confined in Fort Garry would be liberated immediately after the first meeting of the council. The next day, however, seventeen were set at liberty, and affairs in the settlement began to quiet down. The *New Nation* now fell under the displeasure of Riel, and Major Robinson, probably finding that his annexation principles were not popular, retired from the management of the paper. Oscar Malmros, the United States consul at Winnipeg, left about the same time for American territory, and shortly after his departure, some rather compromising letters of his, which he had written during the troubles, appeared in print, which would have made his stay in the settlement rather unpleasant, and no doubt hastened his going away. Mr. Thomas Spence, of Indian memorial fame, and ex-president of the republic of Portage la Prairie, now undertook the editorship of the *New Nation*, and from that time "Annexation" never darkened its pages. Colonel Rankin, who arrived in the settlement on the 5th March, next appears on the scene as the promoter of a railway scheme, and was busy going about the settlement with a petition addressed to the Dominion Government, asking a grant of land for the purpose, when Riel pounced upon him, and gave him six hours notice to quit the country.

Everything tended toward a peaceful solution of the difficulties, but only two of the delegates on the Ottawa mission had consented to go, namely, Rev. Père Richot, and Alfred H. Scott, and as they did not represent the voice of the whole people of Red River, it was most important that Judge Black should be prevailed upon to accompany them. On the 16th

March, therefore, Commissioner Smith went to see him, and, as a result of this visit, Judge Black consented to go as representative of the English-speaking population, a decision which was hailed with pleasure by the settlers.

On the 18th March, Commissioner Smith left Fort Garry on his return to Canada, and on the 23rd, the two delegates, Rev. Père Richot and Alfred H. Scott, took their departure for Ottawa, followed the next day by Judge Black, who was accompanied by Captain Bolton, the latter gentleman having been liberated from prison on the 16th. Each day now saw several of the prisoners released, until all were at liberty, and so far Riel kept his promise given to Commissioner Smith.

The following is the commission and letter of instructions handed to the delegates :

GOVERNMENT HOUSE,
WINNIPEG, Assiniboia.

To _____

SIR—The President of the Provisional Government of Assiniboia, (formerly Rupert's Land and the North-West), in council, do hereby authorize and delegate you to proceed to the City of Ottawa, and lay before the Dominion Government the accompanying list of propositions and conditions as the terms upon which the people of Assiniboia will consent to enter into Confederation with the other provinces of the Dominion. You will also herewith receive a letter of instructions, which will be your guide in the execution of this commission.

Signed this twenty-second day of March, in the year of our Lord one thousand eight hundred and seventy.

By order,
THOMAS BUNN,
Secretary of State.

LETTER OF INSTRUCTIONS.

SIR—Enclosed with this letter you will receive your commission and also a copy of the conditions and terms upon which the people of this country will consent to enter into the Confederation of Canada. You will please proceed with convenient speed to the City of Ottawa, Canada, and on arriving there you will, in company with the other delegates, put yourself immediately in communication with the Dominion Government, on the subject of your commission. You will please observe that with

regard to the articles numbered 1, 2, 3, 4, 6, 7, 15, 17, 19, and 20, you are left at liberty, in concert with your fellow commissioners, to exercise your discretion; but bear in mind, that as you carry with you the full confidence of this people, it is expected that in the exercise of this liberty, you will do your utmost to secure their rights and privileges which have hitherto been ignored.

With reference to the remaining articles, I am directed to inform you that they are peremptory. I have further to inform you that you are not empowered to conclude finally any arrangements with the Canadian Government, but that any negotiations entered into between you and the said government must first have the approval of and be ratified by the Provisional Government, before Assiniboia will become a province of Confederation.

I have the honor to be, Sir,

Your obedient servant,

THOS. BURN,

Secretary of State

The following is the List of Rights, in the form handed to the delegates.

1st That the Territories, heretofore known as Rupert's Land and North West, shall not enter into Confederation of the Dominion, except as a province, to be styled and known as the Province of Assiniboia, and with all the rights and privileges common to the different provinces of the Dominion

2nd. That we have two representatives in the Senate, and four in the House of Commons of Canada, until such time as an increase of population entitles the province to a greater representation.

3rd. That the Province of Assiniboia shall not be held liable, at any time, for any portion of the public debt of the Dominion, contracted before the date the said province shall have entered the Confederation unless the said province shall have first received from the Dominion the full amount for which the said province is to be held liable.

4th. That the sum of eighty thousand dollars be paid annually by the Dominion Government, to the Local Legislature of this province.

5th. That all properties, rights and privileges enjoyed by the people of this province, up to the date of our entering into the Confederation, be respected, and that the arrangement and confirmation of all customs, usages and privileges be left exclusively to the Local Legislature.

6th. That during the term of five years the Province of Assiniboia shall not be subjected to any direct taxation, except such as may be imposed by the Local Legislature for municipal or local purposes.







Hon Joseph Howe.

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th. That a sum of money, equal to eighty cents per head of the population of this province, be paid annually by the Canadian Government to

Local Legislature of the said province, until such time as the said population shall have increased to six hundred thousand.

th. That the Local Legislature shall have the right to determine the qualifications of members to represent this province in the Parliament of Canada and in the Local Legislature.

th. That in this province, with the exception of uncivilized and unsettled

Indians, every male native citizen who has attained the age of twenty-one years; and every foreigner, being a British subject, who has resided the same, and has resided three years in the province, and is a householder; and every foreigner other than a British subject, who has resided here during the same period, being a householder, and having taken the oath of allegiance, shall be entitled to vote at the election of members for the Local Legislature and for the Canadian Parliament. It is understood that this article be subject to amendment, exclusively by the Local Legislature.

th. That the bargain of the Hudson's Bay Company, in the respect to the transfer of the government of this country to the Dominion of Canada, be annulled so far as it interferes with the rights of the people of Assiniboia, and so far as it would affect our future relations with Canada.

th. That the Local Legislature of the Province of Assiniboia shall have full control over all the public lands of the province, and the right to annul all acts or arrangements made or entered into with reference to the public lands of Rupert's Land and the North-West, now called the Province of Assiniboia.

th. That the Government of Canada appoint a Commissioner of Enquiry to explore the various districts of the Province of Assiniboia, and lay before the Local Legislature a report of the mineral wealth of the province, within five years from the date of our entering into Confederation.

th. That treaties be concluded between Canada and the different Indian tribes of the Province of Assiniboia, by and with the advice and cooperation of the Local Legislature of this province.

th. That an uninterrupted steam communication from Lake Superior to Fort Garry be guaranteed to be completed within the space of five years.

th. That all public buildings, bridges, roads, and other public works be at the cost of the Dominion Treasury.

th. That the English and French languages be common in the Legislature, and in the Courts, and that all public documents as well as Acts of Legislature, be published in both languages.

17th. That whereas the French and English speaking people of Assiniboia are so equally divided as to numbers yet so united in their interests, and so connected by commerce, family connections, and other political and social relations, that it has happily been found impossible to bring them into hostile collision, although repeated attempts have been made by designing strangers for reasons known to themselves to bring about so ruinous and disastrous an event.

And whereas, after all the troubles and apparent dissensions of the past, the result of misunderstanding among themselves they have, as soon as the evil agencies referred to above were removed, become as united and friendly as ever : therefore as a means to strengthen this union and friendly feeling among all classes we deem it expedient and advisable

That the Lieutenant-Governor who may be appointed for the Province of Assiniboia should be familiar with both the French and English languages

18th. That the Judges of the Superior Court speak the English and French languages.

19th. That all debts contracted by the Provisional Government of the Territory of the North West, now called Assiniboia, in consequence of the illegal and inconsiderate measures adopted by Canadian officials to bring about a civil war in our midst, be paid out of the Dominion Treasury, and that none of the members of the Provisional Government or any of those acting under them be in any way held liable or responsible with regard to the movement, or any of the actions which led to the present negotiations.

20th. That in view of the present exceptional position of Assiniboia duties upon goods imported into the province shall, except in the case of spirituous liquors, continue as at present for at least three years from the date of our entering the Confederation, and for such further time as may elapse, until there be uninterrupted railroad communication between Winnipeg and St. Paul, and also steam communication between Winnipeg and Lake Superior.

The delegates, having taken their departure, for Ottawa, the council of the Provisional Government ended their first session on the 26th March, and adjourned until the 26th April, and the following were some of the principal resolutions adopted :

1st. That we, the people of Assiniboia, without disregard to the Crown of England, under whose authority we live, have deemed it necessary for the protection of life and property, and the securing of those rights and

privileges which we are entitled to enjoy as British subjects, and which rights and privileges we have seen in danger, to form a Provisional Government, which is the only acting authority in this country ; and we do hereby ordain and establish the following constitution :—

2nd. That the country hitherto known as Rupert's Land and the North West, be henceforth known and styled " Assiniboia."

3rd. That our assembly of representatives be henceforth styled " The Legislative Assembly of Assiniboia."

4th. That all legislative authority be vested in a President and Legislative Assembly, composed of members elected by the people ; and that at any future time another house called a Senate shall be established, when deemed necessary, by the President and the Legislature.

5th. That the only qualification necessary for a member of the Legislative Assembly be, that he shall have attained the age of twenty-three years ; that he shall have been a resident of Assiniboia for a term of at least five years ; that he shall be a householder, and have ratable property to the amount of £200 sterling, and that, if an alien, he shall have first taken the oath of allegiance.

Riel then took the following oath as President :—" I, Louis Riel, do hereby solemnly swear that I will faithfully fulfil, to the best of my ability, my duties as President of the Provisional Government, proclaimed on the 24th November, 1869, and also all the duties which may become connected with the office of President of the Provisional Government of Assiniboia, as they may hereafter be defined by the voice of the people."

The effect of closing the stores of the Hudson's Bay Company at Fort Garry was now being felt by the whole settlement, and business was more or less paralyzed by it. There was little money in circulation, and only a limited market for the produce of the settlers, who were much inconvenienced by the general stagnation of affairs. Negotiations were therefore opened for a resumption of business by the company, and the following letter was addressed by Riel to Governor Mactavish :—

To William Mactavish, Governor of the Hudson's Bay Company in the North-West.—

Sir—In reference to our interviews regarding the affairs of the Hudson's Bay Company in this country, I have the honor to assure you that my great desire is to open, as soon as possible, in the interests of the people, free and undisturbed, the commerce of the country.

The people, in rallying themselves to the Provisional Government with unanimity, prescribe to each of us our respective conduct.

The Provisional Government, established upon the principle of justice and reason, will fulfil its work.

By the action of the Hudson's Bay Company, its commercial interests may be saved to a certain extent, but that is entirely for your consideration, and depends upon the company itself. I have had the honor to tell you that arrangements were possible, and the following are the conditions—

1st. That the whole of the company in the North-West shall recognize the Provisional Government.

2nd. That you, in the name of the Hudson's Bay Company, do agree to loan the Provisional Government the sum of three thousand pounds sterling.

3rd. That on demand, by the Provisional Government, in case arrangements with Canada should be opposed, you do guarantee a supplement of two thousand pounds sterling to the above-mentioned sum.

4th. That there shall be granted by the Hudson's Bay Company, for the support of the present military force, goods and provisions to the value of four thousand pounds sterling, at current prices.

5th. That the Hudson's Bay Company do immediately put into circulation their bills.

6th. That the Provisional Government shall also retain an additional specified quantity of goods in the store of the Hudson's Bay Company.

In accepting the above conditions, the Hudson's Bay Company will be allowed to resume its business under the protection of the Provisional Government.

Fort Garry will be open; but, in the meanwhile, it being the seat of government, a small guard of fifty men will be retained.

Only the buildings at present occupied by the government will be reserved for government purposes.

Such, Sir, are the conditions which the situation imposes upon us.

I have a duty to perform from which I shall not retreat. I am aware that you fully possess the knowledge of your duty, and I trust that your decision will be favorable.

Allow me here to express my deep feeling of sympathy for you in your

continued illness, and to sincerely trust that your health may be speedily restored.

I have the honor to be, Sir,

Your most obedient servant.

LOUIS RIEL,

President.

Government House, Fort Garry,

March 28th, 1870.

An agreement was arrived at on the 2nd April, between Governor Mactavish and Riel, and terms agreed upon by which the keys of the several warehouses in Fort Garry were handed over to the company, who, however, only opened their stores for business on the 27th, as it required the intermediate time to regulate their affairs after the shock they had sustained. On the 9th April, the company granted bills of exchange on London, but the supply of notes for the purposes of currency being small, they afterwards issued a number, printed on a very inferior quality of paper, the following being the wording :—

No. ———

One Pound Sterling.

No ———

On demand, I promise to pay the bearer, at Fort Garry, the sum of One Pound Sterling, in a Bill of Exchange on the Hudson's Bay Company, London.

Dated at Fort Garry, this day of 1870.

J. H. MACTAVISH.

For Hudson's Bay Company.

Thus business affairs in the settlement began to move more satisfactorily than they had done for many months, and, with the exception of a few unimportant incidents, the feeling among the people generally quieted down.

Early in April, Riel had issued, in printed form, the following proclamations.

GOVERNMENT HOUSE,

FORT GARRY, April 7th, 1870.

To the inhabitants of the North and the North West.

FELLOW-COUNTRYMEN You are aware, doubtless, both of the series of events which have taken place at Red River, and become accomplished facts, and of the causes which have brought them about.

You know how we stopped and conducted back to the frontier a Governor whom Canada—an English colony like ourselves—ignoring our aspirations, and our existence as a people, forgetting the rights of nations, and our rights as British subjects—sought to impose upon us without consulting or even notifying us.

You know also, that having been abandoned by our own government, which had sold its title to this country, we saw the necessity of meeting in council and recognizing the authority of a Provisional Government, which was proclaimed on the 8th December, 1869.

After many difficulties raised against it by the partisans of Canada, and the Hudson's Bay Company, this Provisional Government is to-day master of the situation because the whole people of the colony have felt the necessity of union and concord because we have always professed our nationality as British subjects, and because our army, though small, has always sufficed to hold high the noble standard of liberty and of country.

Not only has the Provisional Government succeeded in restoring order and pacifying the country, but it has inaugurated very advantageous negotiations with the Canadian Government, and with the Hudson's Bay Company. You will be duly informed of the results of these negotiations.

People of the North and of the North-West! You have not been strangers either to the cause for which we have fought or to our affections. Distance not indifference has separated us.

Your brethren at Red River, in working out the mission which God assigned them, feel that they are not acting for themselves alone, and that if their position has given them the glory of triumph, the victory will be valued only in so far as you share their joy and their liberty. The winning of their rights will possess value in their eyes only if you claim those rights with them.

We possess to-day, without partition, almost the half of a continent. The expulsion or annihilation of the invaders has rendered our land natal to its children scattered throughout this vast and rich country, but united to a man—what matters distance to us since we are all brethren, and are acting for the common good!

Recognized by all classes of the people, the government reposes upon the good will and union of the inhabitants.

Its duty in officially informing you of the political changes effected among us, is to reassure you for the future. Its hope is that the people of the North will show themselves worthy of their brethren in Red River.

Still the government fears that from a misapprehension of its views, the people of the North and of the North-West, influenced by evil-intentioned strangers may commit excesses fitted to compromise the public safety. Hence it is that the President of the Provisional Government deems it his duty to urge upon all those who desire the public good, and the prosperity of their country, to make the fact known and understood by all those half-breeds or Indians who might wish to take advantage of this so-called time of disorder to foment trouble, that the true state of public affairs is order and peace.

The government established on justice and reason will never permit disorder, and those who are guilty of it shall not go unpunished. It must not be that a few mischievous individuals should compromise the interests of the whole people.

People of the North and of the North-West ! This message is a message of peace. War has long enough threatened the colony. Long enough have we been in arms to protect the country and restore order, disturbed by evil-doers and scoundrels.

Our country, so happily surrounded by Providence with natural and almost insuperable barriers, invites us to unite.

After the crisis through which we have passed, all feel more than ever that they seek the same interests—that they aspire to the same rights—that they are members of the same family.

We hope that you also will feel the need of rallying round the Provisional Government to support and sustain it in its work.

By order of the President,

LOUIS SCHMIDT,
Asst. Sec'y of State.

The above proclamation was widely circulated among the half-breed traders and hunters, and Indian tribes throughout the interior, and on the 9th, Riel issued the following to the people of Red River:—

PROCLAMATION.

TO THE PEOPLE OF THE NORTH-WEST.

Let the Assembly of twenty-eight representatives, which met on the 9th March, be dear to the people of Red River ! That assembly has

shown itself worthy of great confidence. It has worked in union. The members devoted themselves to the public interests, and yielded only to sentiments of good-will, duty and generosity. Thanks to that noble conduct, public authority is now strong. That strength will be employed to sustain and protect the people of the country.

To-day the Government pardons all those whom political differences led astray only for a time. Amnesty will be generously accorded to all those who will submit to the Government; who will discountenance or inform against dangerous gatherings.

From this day forth, the public highways are open.

The Hudson's Bay Company can now resume business. Themselves contributing to the public good, they circulate their money as of old. They pledge themselves to that course.

The attention of the Government is also directed very specially to the northern part of the country, in order that trade there may not receive any serious check, and peace in the Indian districts may thereby be all the more securely maintained.

The disastrous war, which at one time threatened us, has left among us fears and various deplorable results. But let the people feel reassured.

Elevated by the grace of Providence, and the suffrages of my fellow-citizens to the highest position in the government of my country, I proclaim that peace reigns in our midst this day. The Government will take every precaution to prevent this peace from being disturbed.

While internally all is thus returning to order, externally also matters are looking favorable. Canada invites the Red River people to an amicable arrangement. She offers to guarantee us our rights, and to give us a place in the Confederation equal to that of any other province.

Identified with the Provisional Government, our national will, based upon justice, shall be respected.

Happy country, to have escaped many misfortunes that were prepared for her! In seeing her children on the point of war, she recollects the old friendships which used to bind them, and by the ties of the same patriotism, she has re-united them again for the sake of preserving their lives, their liberties, and their happiness.

Let us remain united, and we shall be happy. With strength of unity we shall retain prosperity.

O my fellow-countrymen, without distinction of language, or without distinction of creed—keep my words in your heart! If ever the time should unhappily come, when another division should take place amongst us, such as foreigners heretofore sought to create, that will be the signal for all the disasters which we have had the happiness to avoid.

In order to prevent similar calamities, the Government will treat with all the severity of the law those who will dare again to compromise the

God of Nations relying on these fundamental moral principles, solemnly declare, in the names of our constituents, and in our own names, before God and man, that from the day on which the Government we had always respected abandoned us, by transferring to a strange power the sacred authority confided to it, the people of Rupert's Land and the North-West became free and exempt from all allegiance to the said Government.

2nd. That we refuse to recognize the authority of Canada, which pretends to have a right to coerce us, and impose upon us a despotic form of government, still more contrary to our rights and interests as British subjects than was that Government to which we had subjected ourselves through necessity up to a certain date.

3rd. That by sending an expedition on the 1st November ult., charged to drive back Mr. William McDougall and his companions, coming in the name of Canada to rule us with the rod of despotism, without a previous notification to that effect, we have acted conformably to that sacred right which commands every citizen to offer energetic opposition to prevent his country being enslaved.

4th. That we continue, and shall continue, to oppose, with all our strength, the establishing of the Canadian authority in our country under the announced form. And in case of persistence on the part of the Canadian Government to enforce its obnoxious policy upon us by force of arms, we protest beforehand against such an unjust and unlawful course ; and we declare the said Canadian Government responsible before God and men for the innumerable evils which may be caused by so unwarrantable a course. Be it known, therefore, to the world in general, and to the Canadian Government in particular, that as we have always heretofore successfully defended our country in frequent wars with the neighboring tribes of Indians, who are now on friendly relations with us, we are firmly resolved in future, not less than in the past, to repel all invasions from whatsoever quarters they may come.

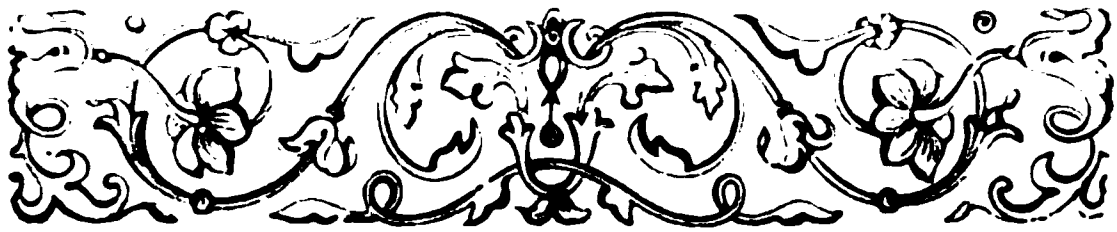
And, furthermore, we do declare and proclaim, in the name of the people of Rupert's Land and the North-West, that we have, on the said 24th of November, 1869, above mentioned, established a provisional government, and hold it to be the only and lawful authority now in existence in Rupert's Land and the North-West which claims the obedience and respect of the people.

That meanwhile we hold ourselves in readiness to enter into such negotiations with the Canadian Government as may be favorable for the good government and prosperity of this people.

In support of this declaration, relying on the protection of Divine Providence, we mutually pledge ourselves on oath, our lives, our fortunes, and our sacred honor to each other.

the hope that his health might be restored by a change of climate. A number of people went to the landing, to see them off, and a short time before the hour of starting the Governor drove down to the bank of the river, and there alighted, being assisted by Mr. Hargrave, his Secretary, and Mr J. H. McTavish, the accountant of the Fort. All were shocked at the feeble appearance of the good old man, reduced as he was almost to a skeleton. Resting on his walking stick, he tottered slowly toward the steamer, every now and again casting his eyes around as if bidding farewell to the scenes of so many years of labor. All were deeply touched at the sight, and it was not many days until they were called upon to mourn his loss, for Governor Mactavish only lived two days after his arrival in Liverpool.

On the 17th June, Rev. Mr. Richot, one of the delegates from Ottawa, arrived at Fort Garry, and on the 24th met a special session of the Legislative Assembly of the Provisional Government, and on presenting the Manitoba Act, as passed by the Parliament of Canada, it was formally accepted by the representatives on behalf of the people of Red River.



CHAPTER XXXI.

REPORT OF SPECIAL COMMISSIONER SMITH.

On the 8th July, Mr. Alfred H. Scott returned to the settlement, but no notice was taken of his arrival, further than a short paragraph in the *New Nation*, announcing the fact. Judge Black did not return to Red River, and Dr. Cowan, who was the H. B. officer in charge of Fort Garry during the troubles, took his departure for Scotland, on the 31st of May, via York Factory.

Matters now progressed without excitement, and the French half-breeds returning to their homes and usual avocations, Riel and a few of his immediate followers were left almost alone at Fort Garry.

On the 20th July, Captain Butler arrived in the settlement, being the bearer of the following Proclamation, the printing and circulation of which was superintended by Riel:—

TO THE LOYAL INHABITANTS OF MANITOBA :—

Her Majesty's Government, having determined upon stationing some troops amongst you, I have been instructed by the Lieutenant-General commanding in British North America, to proceed to Fort Garry with the force under my command.

Our mission is one of peace, and the sole object of the expedition is to secure Her Majesty's Sovereign authority.

Courts of Law, such as are common to every portion of Her Majesty's Empire, will be duly established and justice will be impartially administered to all races and to all classes—the loyal Indians or half-breeds being as dear to our Queen as any others of Her loyal subjects.

The force which I have the honor of commanding will enter your province, representing no party, either in religion or politics, and will afford equal protection to the lives and property of all races and of all creeds.

The strictest order and discipline will be maintained, and private property will be carefully respected. All supplies furnished by the inhabitants to the troops, will be duly paid for. Should any one consider himself injured by any individual attached to the force, his grievances shall be promptly inquired into.

All loyal people are earnestly invited to aid me in carrying out the above mentioned objects.

E. J. WOLSELEY,

Colonel Commanding Red River Force

Lieutenant-General Lindsay, however, wished to alter the above, but his letter did not arrive till after the document was issued. The following is the General's letter on the subject.

CLIFTON HOUSE, CLIFTON,

July 11th, 1870

MY LORD—Colonel Wolseley, commanding the expeditionary force en route to Fort Garry, has transmitted to you a Military Proclamation addressed to the inhabitants of Manitoba, which will be forwarded to you via Winnipeg.

I have the honor to request that before issuing it you will have the goodness to erase the paragraph in which the English translation commences with the words, "Courts of Law,"—and terminates with those of "Her loyal subjects,"—legal affairs being altogether within the functions of the civil authorities.

I have the honor to be,

Your Lordship's obedient servant,

JAS. LINDSAY,

Lieutenant-General

Commanding H.M. Forces in British North America.

RIGHT REV. BISHOP TACHE,

Fort Garry.

The issuing of the Proclamation by Riel, was done, it appears, without consulting Mr. W. B. O'Donohue, whose Fenian-American proclivities were not in sympathy with the near approach of British rule in the country, so he indited the following characteristic letter to the *New Nation* :—

n under my hand at Lower Fort Garry, this 9th day of December,

J. S. DENNIS,
*Lieutenant and Conservator of the Peace in and
 for the North-West Territories.*

o days after issuing the above proclamation, Colonel
 s left Lower Fort Garry to rejoin Mr. McDougall at Pem-
 and the latter, finding that all efforts to gain admission
 ie settlement had failed, packed up his baggage and took
 parture on the 18th December for Canada.

portant mission, the successful fulfilment of which secured the transfer of the North-West to Canada, not only without bloodshed, but also with the concurrence and friendly feelings of the whole people.

"OTTAWA, 12th April, 1870.

"The Hon. Joseph Howe:—

"Secretary of State for the Provinces.

"Ottawa.

"SIR -In pursuance of the commission confided to me by His Excellency the Governor General, in relation to the affairs of the North-West Territories, I addressed you from time to time during my residence within Fort Garry a correspondence carried on under very unfavorable circumstances, as will appear from the report I have now the honor to submit.

"Leaving Ottawa on the 13th December last, I reached St. Cloud, the terminus of railway communication, on the 17th, continuing on the same day by stage, and arriving at Abercrombie on the evening of the 19th. Here we had to abandon wheeled carriages, and procuring a sleigh, after a couple of hours rest, we resumed the journey, and on the afternoon of the 21st met Hon. Mr. McDougall and party, about thirty miles beyond Georgetown. From him I learned how serious the aspect of affairs had latterly become at Red River; and pushing on, we got to Pembina about 11 p.m. of the 24th, and to Fort Garry on the 27th.

"The gate of the fort we found open, but guarded by several armed men who, on my desiring to be shown to Governor Mactavish's house, requested me to wait till they could communicate with their chief. In a short time Mr. Louis Riel appeared. I announced my name; he said he had heard of my arrival at Pembina, and was about to send off a party to

bring me in. I then accompanied him to a room occupied by ten or a dozen men, whom he introduced to me as members of the "Provisional Government." He requested to know the purport of my visit, to which I replied in substance, that I was connected with the Hudson's Bay Company, but also held a commission from the Canadian Government to the people of Red River, and would be prepared to show my credentials so soon as they, the people, were willing to receive me. I was then asked to take an oath not to attempt to leave the fort that night, nor to upset their government, legally established. This request I peremptorily refused to comply with, but said that, being very tired, I had no desire to go outside the gate that night, and promised to take no immediate steps forcibly to upset the so-called "Provisional Government," "legal or illegal, as it might be, without first announcing my intention to do so," Mr. Riel taking exception to the word illegal, while I insisted on retaining it. Mr. O'Donohue, to get over the difficulty, remarked: "That is as he," (meaning myself,) "understands it," to which I replied, "Precisely so." The above explanation I am the more particular in giving, as it has been reported that I at once acknowledged the Provisional Government to be legal. Neither then nor afterwards did I do so.

"I took up my quarters in one of the houses occupied by the Hudson's Bay Company's officers, and from that date until towards the close of February, was virtually a prisoner within the fort, although with permission to go outside the walls, for exercise, accompanied by two armed guards, a privilege of which I never availed myself.

"All my official papers had been left in charge of Mr. Provencher, at Pembina, as I had been warned that, if found in my possession, they would unquestionably be seized, as were

those brought into the settlement shortly after by the Rev. Mr. Thibault and Colonel de Salaberry.

"The state of matters at this time, in and around Fort Garry, was most unsatisfactory, and truly humiliating. Upwards of sixty British subjects were held in close confinement as "political prisoners;" security for persons or property, there was none; the fort, with its large supplies of ammunition, provisions, and stores of all kinds, was in the possession of a few hundred French half-breeds, whose leaders had declared their determination to use every effort for the purpose of annexing the Territory to the United States; and the Governor and Council of Assiniboia were powerless to enforce the law.

"On the 6th January, I saw Mr. Riel, and soon came to the conclusion that no good could arise from entering into any negotiations with his "Council," even were we to admit their authority, which I was not prepared to do. We learnt that on the 13th, the Grand-Vicar Thibault and Colonel de Salaberry appeared before the "President and Council of the People," when some explanations and compliments were exchanged, after which the Very Rev. gentleman and his associate were politely bowed out and lost sight of.

"Meantime we had frequent visits in the Fort from some of the most influential and most reliable men in the settlement, who gladly made known to the people generally the liberal intentions of the Canadian Government, and, in consequence, one after another of Riel's councillors seceded from him, and being joined by their friends, and by many of their compatriots and co-religionists, who had throughout held aloof from the insurgents, they determined no longer to submit to his dictation. This change evidently had a marked effect on Riel, causing him to alter his tactics and to profess a desire for an

accommodation with Canada : accordingly, on the 14th January, he called on me, informed me that he had seen Messrs. Thibault and De Salaberry, whose instructions did not authorize them to give assurances that the people would be secured in possession of their rights on entering into the Confederation, their errand being merely 'to calm the French half-breeds.' He then asked to see my Commission, and on my explaining that, owing entirely to the action taken by himself, it was not in my possession, in an excited, yet faltering manner he said, 'Yes I know, 'tis a great pity, but how soon could you have it?' 'Probably in five or six days,' I replied. 'That is too long, far too long,' he responded, and then asked where the documents were deposited, requesting at the same time, a written order for their delivery to his messenger. To this I would not accede, but on his assuring me that they would be delivered into my hands, and that I should be afforded an opportunity of communicating their contents to the people, I consented to send a friend for them. It was so decided, and immediately after the messenger had received his instructions from me, I was placed under strict arrest, a captain's guard being assigned me, whose instructions were, not to lose sight of me for one moment day or night, and to prevent me from communicating either verbally or in writing with any individual. I protested, saying, 'Am I to consider myself a prisoner?' He replied, 'Certainly not, I have the utmost confidence in your honor, but circumstances demand this.'

"It was now about 10 o'clock and my messenger having been marched out, I retired to bed, but only to be awakened 'twixt two and three o'clock in the morning of the 15th, by Mr. Riel, who, with a guard, stood by the bedside and again

demanding a written order for the delivery of my Official Papers, which I again peremptorily refused to give.

"The well-affected French party became aware of what had happened, and, not believing in Riel's good faith, determined to prevent the papers from falling into his hands. They got together some sixty or eighty men, who met my friend on his way back and were escorting him, when on the 18th about ten miles from the Fort, they were accosted by Riel and some of his party and by the Rev. Mr. Ritchot. An altercation took place, Riel attempted to use his pistol, saying, 'He would not be taken alive in his own country,' on which a revolver was levelled at his head, and Mr. Ritchot, having interposed, he was unceremoniously told to stand aside and 'not to interfere any further with matters unconnected with his spiritual duties.' It may be well to note that all those who took part in this affair were Catholics, and, with one or two exceptions, French half-breeds. Nothing more serious happened at this time, and the party proceeded together to Fort Garry, where they arrived in the forenoon. A few minutes before they entered the house, the Very Rev. Mr. Thibault, Père Lestanc and Colonel De Salaberry, called upon me and, with the exception of my guard, they were the first individuals with whom I was permitted to converse since the 14th. They appeared to be much concerned, and said it was currently reported I had been endeavoring to incite the different parties to hostile collisions. I repudiated any such charge, explaining that I had acted only in the cause of peace and order, and with the desire of making the people, both French and English, fully acquainted with the liberal views of the Canadian Government, so that a peaceful transfer of the territory might be effected, adding that I was pleased to think

there was now every likelihood this would speedily be accomplished. In the meantime, the party in possession of my papers entered the adjoining room, in which Père Lestanc joined them, while Messrs. Thibault and De Salaberry went outside. Immediately after they retired, Mr. Riel came to me, saying :—‘ Your Commission is here ; but in the hands of men who had no right to have it.’ I expressed satisfaction that it had been brought in, and said, being now in possession of it, I must be relieved from all restraint, and be permitted freely to communicate with the people. He at once removed the guard and we went up to the party who had just arrived. Messrs. Riel and O’Donoghue, with a few of their friends, were present, and vehemently protested against the action now being taken, while the ex-councillors accused them of treason to the Imperial Crown, and of using every effort to bring about the annexation of the country to the United States. Riel replied, ‘ that was only supposing the people desired it, but that he was willing the question should be submitted to them.’ Père Lestanc spoke warmly in favor of the ‘ President,’ who, he said, had acted so as to merit the gratitude of his countrymen, and begged them still to place confidence in him. This evidently had no effect, and ultimately, after a good deal of recrimination, it was arranged that a meeting of the inhabitants from all parts of the settlement should be called for the morrow, the 19th, at which the papers bearing on the subject should be read, a guard of forty men remaining in the house to ensure the safe-keeping of the documents.

“ Riel’s men were now falling away from him, while the loyal party expressed their determination no longer to be guided in the matter either by him or by Père Lestanc and his associates. They were full of hope, and confident that the follow-

ing day would bring with it complete success to the cause of Canada.

"Late that night, Père Lestanc paid them another visit, which was prolonged for several hours beyond midnight, and next morning it was found that a majority of those who had seceded from Riel, were again on friendly terms with him. The hour for the meeting having arrived, upwards of a thousand people attended, and, deeming it of great importance that the explanations to be made on behalf of the Canadian Government should be faithfully rendered to the French-speaking portion of the settlers, whose leaders had studiously withheld from them all knowledge of the true state of matters in connection with the proposed transfer of the country, I requested Colonel De Salaberry to act as interpreter, but the Colonel, diffident of his own ability as a translator, proposed Mr. Riel as interpreter, and the latter was appointed accordingly.

"At this meeting, and that held the following day, the reading of the Commission, the Queen's Letter, and every other document, was contested with much obstinacy, but ultimately carried: and threats were used to myself in the presence and hearing of the Chairman, of the Secretary, Judge Black, and others, more especially by Mr. Riel and Rev. Mr. Lestanc. At the commencement of the meeting, I requested the Chairman and those near him to begin by insisting that all arms should be laid down, and that the flag then flying (fleur de lis and shamrock), should be replaced by the British ensign: this they thought, would come better at an after-stage; but the opportunity of doing so, now lost, never recurred.

'As is generally known, the result of the meeting was the appointment of forty delegates, twenty from either side, to meet on 25th January, 'With the object of considering the

subject of Mr. Smith's Commission, and to decide what would be best for the welfare of the country.' the English, as a body, and a large number of the French, declaring their entire satisfaction with the explanations given, and their earnest desire for union with Canada.

"On the 22nd, Riel had several conferences with the well-affected French within the fort: he was melted even to tears, told them how earnestly he desired an arrangement with Canada, and assured them that he would lay down his authority immediately on the meeting of the Convention. They believed him sincere, and although I considered that their guard in the fort should not be decreased, they held that ten men would be amply sufficient to leave while they went to secure their elections; the consequence was, that they had hardly gone when repressive measures were resorted to, and the Hudson's Bay Company's stores, which had hitherto been only partially in their hands, were now taken complete possession of by Riel.

"Efforts were made to have the prisoners released, but without effect.

"The delegates met on the 25th, and continued in session till the 10th February. On the 26th, I handed to their chairman, Judge Black, the documents read at the meetings of the 19th and 20th January, and, on the 27th, attended the Convention by appointment. I was received with much cordiality by all the delegates, explained to them the views of the Canadian Government, and gave assurances that on entering confederation, they would be secured in the possession of all rights, privileges, and immunities enjoyed by British subjects in other parts of the Dominion: but on being requested by Mr. Riel to give an opinion regarding a certain 'List of Rights,' prepared

by his party in December last, I declined to do so, thinking it better that the present Convention should place in my hands a paper stating their wishes, to which I should 'be happy to give such assurances as I believed would be in accordance with the views of the Canadian Government.' The Convention then set about the task of preparing a 'List of Rights' embodying the conditions on which they would be willing to enter the confederation. While the discussion regarding this list was going on, Mr. Riel called on me, and asked if the Canadian Government would consent to receive them as a province. My reply was that I could not speak with any degree of certainty on the subject, as it had not been referred to when I was at Ottawa, the intention then being that the North-West should, in the first instance, be incorporated under the Dominion as a territory; but I added that no doubt it would become a province within two or three years. On this, Mr. Riel, with much emphasis, exclaimed, 'then the Hudson's Bay Company is not safe yet,' to which I answered, 'Mr. Riel, that cannot influence me in the slightest degree, and I am quite prepared to act as may be required of me in my capacity as Canadian Commissioner.' This was on the evening of the 3rd of February. on the following day, the proposition to enter as a province was negatived by the Convention, and on the 5th. another motion directed against the Hudson's Bay Company also failed: the language used by Mr. Riel on the latter occasion, having been violent in the extreme. The same evening, Riel proceeded to Governor Mactavish, who had been dangerously ill for many weeks back, and was then barely able to sit up, placed a guard over him, and heaping reproaches and insult on him, declared that he would have him shot before midnight. Riel then sought out Dr. Cowan, the officer in im-

mediate charge of Red River District, upbraided him for his persistent opposition to 'the people,' the insurgents, and declaring that his name would go down with infamy to posterity, for the part he had taken, demanded that he would immediately swear allegiance to the Provisional Government, or prepare for death within three hours, giving him a quarter of an hour for consideration. The Doctor immediately replied that he knew no legal authority in the country but that of Great Britain, to which his allegiance was due, and that he would not take the oath required of him. He was then seized and put in confinement along with the prisoners taken in December last. I was also put under strict guard, but not removed from the house. Notwithstanding this, and the painful doubt created in the minds of the English members of the Convention, as to the course they should pursue, after these arrests, the delegates again met on the 7th. On the 5th, they had resolved to place in my hands, the List of Rights they had drawn up, which was done at 11 o'clock, on the 7th, with an intimation that the Convention would be glad to meet me at 1 o'clock p.m., the intervening two hours being allowed me to frame my answers. In drawing up these, I was allowed no reference to any document, either written or printed, except the List of Rights, and a guard stood over me to see that I should write nothing else than that to be presented to the Convention. I had just finished writing, when Mr. Riel and his 'Adjutant-General' Lépine, who was also a member of the Convention, came in, and Riel, looking at the latter in a significant manner, said, 'The answers to the List of Rights, must be simply yes or no.' On this, I remarked that I thought otherwise, and would act as circumstances might appear to me to require. I then retired, and on returning to

the room a few minutes later, found there Mr. Riel, the Rev. Mr. Thibault, and Colonel De Salaberry. We proceeded together to the Convention, and in course of conversation, Col De Salaberry said, he would gladly have come to see me before, but could not, as he ' had been a prisoner throughout.

"The proceedings of the Convention, as reported in the *New Nation* newspaper of the 11th and 18th February, copies of which I have had the honor of addressing to you, are sufficiently exact, and render it unnecessary for me here to enter into details. Suffice it to say, that a large majority of the delegates expressed entire satisfaction with the answers to their List of Rights, and professed confidence in the Canadian Government, to which I invited them to send delegates, with the view of effecting a speedy transfer of the territory to the Dominion, an invitation received with acclamation, and unanimously accepted, as will appear by resolution hereto annexed, along with the List of Rights, and my answer to the same. The delegates named were John Black, Esq., Recorder: the Rev. Mr. Richot, and Mr. Alfred H. Scott, a good deal of opposition having been offered to the election of the last-named of the three.

"The proceedings of the Convention came to a close on the 10th February, by the nomination of a Provisional Government, in the formation of which several delegates declined to take any part. Governor Mactavish, Dr. Cowan, and two or three other persons, were then released, and the Hudson's Bay Company's officers again allowed to come and go at pleasure, but I was still confined to the fort. Riel, as he expressly stated to Judge Black, being apprehensive of my influence with the people in the approaching election. Riel promised that all the prisoners should soon be released. On the 11th

and 12th, six or eight of them were set at liberty, and Dr. Cowan was informed in my presence, that as they were all to be discharged without delay, the rooms they had occupied would be placed at his disposal in a day or two; Riel remarking at the same time that he would have them thoroughly cleaned out.

“Rumors now began to circulate of a rising at the Portage, and, on the nights of the 14th and 15th of February, some eighty or one hundred men from that district passed down close to Fort Garry, and proceeded to Kildonan, where they were joined by from 300 to 350 men, principally English half-breeds from the lower parts of the settlement. Had these men, properly armed and organized, been prepared to support the well-affected French party, when the latter took action about the middle of January, or even in the beginning of February, during the sitting of the Convention, order might have been restored, and the transfer to Canada provided for without the necessity of firing a single shot: but now, the rising was not only rash, but purposeless, as, without its intervention, the prisoners would unquestionably have been released. The party was entirely unorganized, indifferently armed, unprovided with food, even for one meal, and wholly incapable of coping with the French, now re-united, who, to the number of at least 700, were prepared to offer the most determined resistance, which, as they were in possession of a number of guns (six and three-pounders), ample stores of ammunition, provisions, and every other requisite, they could have done most effectually. My sympathies were, in a great measure, with the Portage men, whom I believe to have been actuated by the best of motives, but, under the circumstances, it was not difficult to foresee that the issue could not be otherwise than disastrous to their cause. The attempt was there-

fore to be deplored, as it resulted in placing the whole settlement at the feet of Riel. The great majority of settlers, English and Scotch, discountenanced the movement, and bitterly complained of those who had set it on foot. Forty-seven of the party were captured on their way home, while passing within a few hundred yards of the fort, the explanation I have heard given for their otherwise inexplicable conduct in having taken this route instead of making a *détour*, which would have ensured safety, being a supposed promise by Riel that they would be permitted to pass unmolested. Their messenger, a young man named McLean, on being questioned by Archdeacon McLean and myself, in presence of the Rev. Mr. Gardner, and one or two other gentlemen, admitted that Riel, on being asked 'if the party would be permitted to pass, was silent and only on being informed that they intended next day to use the route just outside the town, remarked 'Ah that is good, and for his purpose it no doubt was so. Captain Bolton led the party, and he and his friends at the Portage assured me that he exerted himself to the utmost to keep them from rising, and only joined them at the last moment, when he saw they were determined to go forward. He was captured on the 17th, tried by court martial, and condemned to be shot at noon on the following day, but at the intercession of the Lord Bishop of Rupert's Land, Archdeacon McLean, and, in short, every influential man among the English: and, I have been told also, at the earnest entreaty of the Catholic clergy, the execution was delayed till midnight of Saturday, the 19th. Further than this, Riel declared he could not, would not, yield, except, indeed, Dr. Schultz should be captured in the meantime, in which case he would be shot instead of Bolton. Archdeacon McLean had been in close attendance

instructions which Grand Vicar Thibault received from Hon. Jos. Howe, the Secretary of State for Canada.

OTTAWA, December 4, 1869.

The Very Reverend Grand Vicar, M. Thibault.

SIR—Referring to the conversation held with a committee of the Privy Council yesterday, and to your kind consent to undertake the delicate task of representing, in conjunction with Colonel de Salaberry, the views and policy of this government to the people of the Hudson's Bay Territory. I am commanded by His Excellency the Governor-General to convey to you in the form of instructions for your guidance, the grounds of hope entertained here that your mission of peace and conciliation will be entirely successful.

You will not fail to direct the attention of the mixed society inhabiting the cultivated borders of the Red River and Assiniboine, to the fact which comes within your daily knowledge and observation, and is patent to all the world, that in the four provinces of this Dominion, men of all origins, creeds and complexions stand upon one broad footing of perfect equality in the eye of the government and the law ; and that no administration could confront the enlightened public sentiment of this country which attempted to act in the North-West upon principles more restricted and less liberal than those which are firmly established here.

So far as you may have intercourse with the Indian chiefs and people, you will be good enough to remind them that while bloody and costly Indian wars have raged often for long periods in different sections of the United States, there has been no war with the Indians in any of the Provinces of British America since the conquest. For more than a century the Micmacs of Nova Scotia have lived in peace ; while the rights of the Milicetes of New Brunswick have been respected. Everywhere within the Canadas, the progress of settlement, while it furnished new employments to the Indians, was rendered practicable by treaties and arrangements mutually satisfactory, that have formed the secure basis of the sympathy and co-operation which have distinguished the Canadians and Indians, not only since the Treaty of Paris, but from the earliest exploration of the country.

It may fairly be assumed that the just and judicious treatment of the Indian tribes forms the brightest page in the history of British America. Canadians cannot afford to sully it by any ungenerous treatment of the Indians in the North-West. That the disturbances which have taken place at and around Winnipeg and Fort Garry, have grown out of vague apprehensions of danger incident to the transitory state of things, which the action of the Imperial Government and Parliament rendered inevitable

on first coming to the country, I would now repeat, that 'I would give my whole heart to effect a peaceable union of the country with Canada.'

" 'We want only our just rights as British subjects,' he said. 'and we want the English to join us, simply to obtain these.' 'Then,' I remarked, 'I shall at once see them and induce them to go on with the election of delegates for that purpose.' and he replied, 'if you can do this, war will be avoided, not only the lives, but the liberty of all the prisoners will be secured. for on your success depend the lives of all the Canadians in the country.' He immediately proceeded to the prison, and intimated to Archdeacon McLean that he had been induced by me to spare Captain Bolton's life, and had further promised to me, that immediately on the meeting of the council shortly to be elected, the whole of the prisoners should be released, requesting the Archdeacon, at the same time, to explain these circumstances to Captain Bolton and the other prisoners. The moment was a fearful one for the settlement, every man's life was in the hands of Riel, and, fully appreciating the significance of this, the Bishop of Rupert's Land, and the Protestant clergy, generally, now earnestly counselled the people to elect their delegates without loss of time, as by this means they might to some extent control the course of events, while otherwise they were utterly powerless. I entirely concurred in this view of the case, and Archdeacon McLean having kindly offered to accompany me, we visited the different parts of the settlement, and found that in several parishes the people, and those the most loyal to the British Crown, and most desirous for union with Canada, had already chosen their councillors. I explained to all, that the council was to be provisional, in the strictest sense of the word, intended expressly for effecting the

transference of the country to Canada, and for ensuring safety of life and property in the meantime. In some instances, I found they had drawn up petitions to Mr. Riel a 'President,' expressing submission, etc., these I requested them to destroy, advising that nothing more should be done than under the circumstances was absolutely necessary, namely, that having made their election, you should simply intimate the fact in formal terms to Mr. Bunn, who had been named Secretary of the Council, and not to Mr. Riel. The elections in the English parishes having taken place on the 26th February, I again saw Riel, who re-assured me, that all the prisoners would be released within a day or two after the first meeting of the council. On the 28th, he again sent for me, and in presence of Mr. Fraser, delegate from the Scotch parish, Kildonan, repeated his promise, that the lives of the prisoners were secured, and that their release would shortly follow.

" I had no further communication with Riel until Monday, the 4th March, when about 10 o'clock in the morning Père Lestanc called on me. He informed me of Bishop Taché's expected arrival, not later certainly than the 8th, and probably some days earlier, adding that his Lordship had telegraphed to request that, if about to leave for Canada, I should defer my departure till he could communicate personally with me. He then said that the 'conduct of the prisoners was very unsatisfactory, that they were very unruly, insolent to the 'soldiers,' and their behaviour altogether so very bad that he was afraid the guards might be forced to retaliate in self-defence. I expressed much surprise at the information he gave, as the prisoners, without exception, had promised to Archdeacon McLean and myself, that seeing their helpless condition, they would endeavour to act so as to avoid giving offence to their guards, and

we encouraged them to look forward to be speedily released in fulfilment of the promise made by Mr Riel. One man, Parker, was mentioned as having made himself particularly obnoxious by his violent conduct, but not one word was said on this occasion regarding Scott, or the slightest intimation given that he or any other person had been condemned to be shot. About 11 o'clock, Père Lestanc left me and went up stairs to communicate to Governor Mactavish, as he said, 'the good news that Bishop Taché was expected so soon'. The Reverend Mr Young, Methodist clergyman, had just entered the house, and meeting the Père in the hall, conversed with him a few minutes. Mr Young then came up to me, and from him I had the first intimation that it was intended to shoot Thomas Scott, and that the sentence was to be carried into effect at 12 o'clock noon, that day. We agreed in believing that the thing was too monstrous to be possible, and Mr. Young mentioned that poor Scott himself was equally incredulous on the subject, thinking they merely intended to frighten him. However, even to keep him in suspense was of itself a horrible cruelty and it was arranged that, as Mr. Young had been sent for to attend the man, he should see Riel, ascertain exactly how the matter stood, and, if really serious, to let me know at once. Mr. Young accordingly called on Riel, was informed that Scott had been condemned, that the sentence was irrevocable, and would not be delayed one minute beyond noon. Mr. Young begged for delay, saying, 'the man is not prepared to die,' but all without avail. He was paralyzed with horror, returned to the prisoner, and immediately sent a messenger to inform me of the result of his visit. I determined to find out Riel immediately, but recollecting that Père Lestanc was still upstairs with Mr. Mactavish, went to him, related what I had heard.

and asked him if he knew anything about the matter. His answer I cannot give in precise words, but it was to the effect that they had seen Mr. Riel on the other side (St. Boniface), and had all spoken to him about it, by which I understood that they had interceded for Scott. Governor Mactavish was greatly shocked on being informed of Riel's purpose, and joined in reprobating it. Père Lestanc consented to accompany me, and we called on Riel. When we entered, he asked me 'what news from Canada.' The mail had arrived the preceding day, and I replied, 'only the intelligence that Bishop Taché will be here very soon.' I then mentioned what I had heard regarding Scott, and before Riel answered, Père Lestanc interposed in French words, meaning, 'Is there no way of escape?' Riel replied to him, 'My Reverend Père, you know exactly how the matter stands,' 'then turning to me, he said, 'I will explain to you,' speaking at first in English, but shortly after using the French, remarking to me, 'you understand that language.' He said in substance that Scott had throughout been a most troublesome character, had been the ringleader in a rising against Mr. Snow, who had charge of the party employed by the Canadian Government during the preceding summer in road-making; that he had risen against the 'Provisional Government' in December last, that his life was then spared; that he escaped, had again been taken in arms, and once more pardoned,—referring, no doubt, to the promise he had made to me that the lives and liberty of all the prisoners was secured—but that he was incorrigible, and quite incapable of appreciating the clemency with which he had been treated; that he was rough and abusive to the guards, and insulting to him, Mr. Riel; that his example had been productive of the very worst effects on the other prison-

ers, who had become insubordinate to such an extent that it was difficult to withhold the guards from retaliating. He further said, 'I sat down with Scott, as we are doing now, and asked him truthfully to tell me, as I would not use his statement against him, what he and the Portage party intended to have done with me, had they succeeded in capturing me, when they surrounded Couture's house,' to which he replied, 'We intended to keep you as a hostage for the safety of the prisoners.' I argued with Riel, and endeavored to show that some of the circumstances he had mentioned, and especially the last, were very strong reasons to urge why Scott's life should not be sacrificed, and that, if, as he represented, Scott was a rash, thoughtless man, whom none cared to have anything to do with, no evil need be apprehended from his example. I pointed out that the one great merit claimed for the insurrection was that, so far, it had been bloodless, except in one sad instance, which all were willing to look upon as an accident, and implored him not now to stain it, to burden it with what would be considered a horrible crime. He exclaimed, 'We must make Canada respect us.' I replied, 'She has every proper respect for the people of Red River, and this is shown in her having sent *Commissioners to treat with them*.' I told him I had seen the prisoners some time back, when they commissioned me to say to their friends at Portage that they desired peace, and I offered to go to them again and reason with them, should that be necessary. On this he said, 'Look here, Mr. Smith, Mr. Scott, the representative, went to see the prisoners at my desire, and on asking them whom they would vote for as councillors, if they were permitted a choice outside of their own body.' Thos. Scott came forward and said, 'My boys have nothing to do with those Americans.' And when

“ Copy of further letter of instructions to Mr. McDougall, dated 7th instant ;

“ Copy of the Proclamation issued by His Excellency the Governor-General, addressed to the inhabitants of the North-West Territories, by the express desire of Her Majesty.

“ These will enable you to speak authoritatively on the subject of your mission.

“ You will proceed with all dispatch to Pembina, and arrange with Mr. McDougall as to your future course of action ; and then go on to Fort Garry, and take such steps as, after such consultation, may seem most expedient. You will, of course, consult Governor Mactavish, and endeavor to arrange one system of concerted action in the pacification of the country, with Mr. McDougall, the Hudson's Bay authorities, and yourself.

“ As the information received by the Government here is necessarily imperfect, and as the circumstances at the Red River are continually changing, it is not considered expedient to hamper you with more specific instructions. You will, therefore, act according to the best of your judgment in concert with Mr. McDougall, and you will keep me fully informed by every mail of the progress of events.

“ In addition to the more immediate object of your mission, you are requested to report on the best mode of dealing with the Indian Tribes in the country, and generally to make such suggestions as may occur to you as to the requirements of the country for the future.

“ I have the honor to be, etc.,

“ JOSEPH HOWE,

“ *Secretary of State for the Provinces.*”





Lord Wolseley.



I remarked, 'This is really a most trifling affair, and ought not to have been repeated,' he said, 'Do not attempt to prejudice us against the Americans, for although we have not been with them, they are with us, and have been better friends to us than the Canadians.' Much more was said on both sides, but argument, entreaty, and protest alike failed to draw him from his purpose, and he closed by saying, 'I have done three good things since I have commenced, I have spared Bolton's life at your instance, and I do not regret it, for he is a fine fellow ; I pardoned Gaddy, and he showed his gratitude by escaping out of the bastion, but I don't grudge him his miserable life, and now I shall shoot Scott.' Lèpine, the Adjutant-General, who was President of the Council of Seven, which tried Scott,—and five of whom, Riel told me, 'with tears streaming from their eyes, condemned him as worthy of death,' a sentence which he had confirmed—now entered, and, in answer to Riel, said, 'he must die,' Riel then requested the Rev. Père Lestanc to put the people on their knees for prayer, as it might do good to the condemned man's soul. Referring to Père Lestanc, and making a final appeal unnecessary here to repeat, I retired. It was now within a few minutes of one o'clock, and on entering the Governor's house, Rev. Mr. Young joined me, and said, 'It is now considerably past the hour, I trust you have succeeded.' 'No,' I said, 'for God's sake go back at once to the poor man, for I fear the worst.' He left immediately, and a few minutes after he entered the room in which the prisoner was confined : some guards marched in and told Scott his hour was come. Not until then did the reality of his position flash upon poor Scott. He said good-bye to the other prisoners, was led outside the gate of the fort, with a white handkerchief covering his head : his coffin, having a piece of white cot-

ton thrown over it, was carried out, his eyes were bandaged: he continued in prayer, in which he had been engaged on the way, for a few minutes, he asked Mr. Young how he should place himself, whether standing or kneeling, then knelt in the snow, said farewell, and immediately fell back, pierced by three bullets which had passed through his body. The firing party consisted of six men, all of whom, it is said, were more or less intoxicated. It has been further stated that only three of the muskets were loaded with ball cartridge, and that one man did not discharge his piece. Mr. Young turned aside when the first shots were fired, then went back to the body and again retired for a moment, while a man discharged his revolver at the sufferer, the ball, it is said, entering the eye and passing round the head.

"The wounded man groaned between the time of receiving the musket shots and the discharge of the revolver. Mr. Young asked to have the remains for interment in the burying ground of the Presbyterian Church, but this was not acceded to, and a similar request, preferred by the Bishop of Rupert's Land, was also refused. He was buried within the walls of the fort. On descending the steps, leading from the prison, poor Scott, addressing Mr. Young, said, 'This is a cold-blooded murder,' then engaged in prayer, and was so occupied until he was shot.

"After this date I held no communication whatsoever with Riel, except in reference to getting away from the country, which I was not allowed to leave without a pass. I felt that under the circumstances it was not desirable I should remain longer at Red River, but it was not until late in the night of the 18th inst., Riel gave permission for my departure. Although not accomplishing all that could have been desired,

the mission to Red River, as I shall endeavor to show in a few words, has been productive of some good, and that it was not entirely successful, may fairly be attributed to the circumstances above referred to, in connection with the action taken, and meetings held in January last. Success, although in a lesser degree, might also have been gained at a later period but for the rising in February, which, though rash and productive of results the most unfortunate, I can hardly blame, knowing, as already stated, that those who took part in it were actuated and impelled by generous motives.

“ On reaching Red River, in December last, I found the English-speaking portion of the inhabitants greatly divided in opinion as to the comparative advantages of union with Canada, and the formation of a Crown Colony, while a few, a very small number, favored annexation to the United States. The explanations offered on the part of Canada they received as satisfactory, and, with hardly a dissentient voice, they would now vote for the immediate transfer to the Dominion. They earnestly requested me to assure His Excellency the Governor-General of their warm loyalty to the British Crown.

“ The case is difficult as regards the French half-breeds. A not inconsiderable number of them remained true to their allegiance during all the troubles through which they have had to pass, and with these will now be found associated many others whose minds had for a time been poisoned by gross misrepresentations made by designing men for their own selfish ends. A knowledge of the true state of the case, and of the advantages they would derive from union with Canada, had been carefully kept from them, and they were told to judge of Canadians generally by the acts and bearing of some of the less reflective immigrants, who had denounced them as ‘cumberers

of the ground,' who must speedily make way for the 'superior race' about to pour in upon them.

It is also too true that, in the unauthorised proceedings of some of the recent Canadian arrivals, some plausible ground had been given for the feeling of jealousy and alarm with which the contemplated change of government was regarded by the native population. In various localities these adventurers had been industriously marking off for themselves considerable, and in some cases very extensive and exceptionally valuable, tracts of land, thereby impressing the minds of the people with the belief that the time had come when, in their own country, they were to be entirely supplanted by the stranger, a belief, however, which I have no doubt might have been completely precluded by the prevention of all such operations until Canada had fully unfolded her policy, and shown the groundlessness of these fears.

Let us further bear in mind that many of the Catholic clergymen in the country are not French Canadians, but Frenchmen, and consequently, it may be presumed, not very conversant with British laws and institutions, and with the liberty and privileges enjoyed under them. Warmly attached to their flocks, they deemed it necessary to exact some guarantee that in their new political condition they would not be treated with injustice. It is unnecessary here to point out how the breach widened, until at length it attained a magnitude and significance little dreamt of in the commencement, even by those who joined most heartily in the movement. It is far more pleasing to be able to state, which I do with much confidence, that a large majority of the French party have no misgivings as to union with Canada, and that joined by and under the guidance of his Lordship, Bishop Taché, and other members of the clergy who enjoy their confidence,

they will very shortly prove themselves to be staunch supporters of the Dominion, firm in their allegiance to England.

“ In course of the Insurrection, one deplorable crime, and many grossly illegal acts, have unquestionably been committed, but it would be alike unpolitic and unjust to charge them on the French population generally.

“ Much obloquy has been heaped on the Hudson's Bay Company and their Governor and officers in the North-West, which I consider it unnecessary at this moment even to attempt to answer or refute, although not doubting that both could be readily and satisfactorily done. Errors, many and grave, have, it cannot be denied, been committed on all sides, but wilful and intentional neglect of duty cannot, I feel convinced, be laid to the charge either of the Hudson's Bay Company or their representatives in the country. Personally, I have been entirely unconnected with the administration of affairs in that department.

“ I would respectfully submit that it is of the utmost importance there should be a strong military force in the North-West as early as practicable. The minds of the Indians, especially the tribes in the Saskatchewan country, have been so perplexed and confused by the occurrences of the past six months, that it would be very unsafe to trust to their forbearance : and, indeed, until the question of Indian claims has been finally settled, it would not, in my opinion, be prudent to leave the country unprotected by military. The adjustment of those claims will require early attention, and some memoranda and evidence in my hands on the subject, I shall, if desired, be prepared to lay before the Government.

“ I have the honor to be, Sir,

“ Your obedient servant,

“ DONALD A. SMITH.”

Services so valuable and of such importance to the Dominion, should have been recognized without delay, but it was not until February, 1872, two years after they were rendered, that Mr. Donald A. Smith received any official recognition of the great and loyal work performed by him. On the 22nd February, 1872, the following letter was received by him from the Secretary of State, Hon. Joseph Howe:—

OTTAWA, 22nd February, 1872

Donald A. Smith, Esq., M.P..

Fort Garry.

SIR—The events which led to your appointment in December, 1869, as a Special Commissioner to the North-West, are now matter of history. But the Governor-General feels that the important services which in that capacity you rendered to the country have not yet received that official recognition to which they are justly entitled.

His Excellency, therefore, now commands me to convey to you the expression of his appreciation of the patriotism with which, on that occasion, you placed your services at the disposal of the Government, and at an inclement season of the year cheerfully undertook a long and fatiguing journey to Fort Garry to aid, by your presence and influence, in the repression of the unlooked for disturbance which had unhappily broken out in the North-West.

In selecting you for the delicate and important mission thus confided to you, His Excellency was influenced by the conviction that your thorough knowledge of the people, and the high estimation in which you were held by all classes there, eminently qualified you to act with effect in disabusing the minds of the misguided people of the settlement of the erroneous

opinions they had been led to form of the feelings and intentions of the Government of the Dominion in reference to their country.

Subsequent events have, in His Excellency's opinion, fully justified the wisdom of his selection of a Commissioner. For if the serious dangers which then threatened the settlement were happily averted, and law and order peacefully re-established at Fort Garry, His Excellency feels that the result was in no small degree due to the ability, discretion, and firmness with which you executed your commission, and to the judicious use of the influence which your character and standing enabled you to exercise over all classes of the community at Red River.

I have the honor to be,

Your obedient servant,

JOSEPH HOWE,

Secretary of State for the Provinces.

When this tardy recognition of Commissioner Smith's services was written, the people of the North-West had already shown their appreciation of the great work he had performed for them and for the whole of Canada, by electing him as one of their representatives in the Dominion House of Commons.

Her Majesty the Queen, too, mindful of the services he had rendered to the State while acting in the capacity of Special Commissioner, and in acknowledgment of them, conferred on him the honor of knighthood, as SIR DONALD A. SMITH, K.C.M.G.

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APPENDIX.

1. Royal Charter of 1670.
2. Crown Grant of Exclusive Trade, 1821.
3. Crown Grant of Exclusive Trade, 1838.
4. Commission appointing Hon. Wm. McDougall Lieutenant-Governor.
5. Proclamation issued by Hon. Wm. McDougall on 1st December, 1869.
6. Commission issued by Hon. Wm. McDougall. appointing Col. Dennis Conservator of the Peace.
7. Proclamation issued by Hon. Wm. McDougall on 2nd December, 1869.
8. Proclamation issued by Sir John Young. Governor-General of Canada, on 6th December, 1869.
9. Commission issued to Donald A. Smith, Esq., appointing him Special Commissioner.
10. Laws of Assiniboia passed by the Provisional Government, 7th May, 1870.
11. The Manitoba Act.





APPENDIX.

No. I.

ROYAL CHARTER FOR INCORPORATING THE HUDSON'S BAY COMPANY,
GRANTED BY HIS MAJESTY, KING CHARLES THE SECOND, IN THE
22ND YEAR OF HIS REIGN, A.D. 1670.

CHARLES the Second, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c., to all to whom these presents shall come, greeting :

Whereas our dear and entirely beloved cousin, Prince Rupert, Count Palatine of the Rhine, Duke of Bavaria and Cumberland, &c. ; Christopher, Duke of Albemarle ; William, Earl of Craven ; Henry, Lord Arlington ; Anthony, Lord Ashley ; Sir John Robinson, and Sir Robert Vyner, Knights and Baronets ; Sir Peter Colleton, Baronet ; Sir Edward Hungerford, Knight of the Bath ; Sir Paul Neele, Knight ; Sir John Griffith and Sir Phillip Carteret, Knights ; James Hayes, John Kirke, Francis Millington, William Prettyman, John Fenn, Esquires ; and John Portman, Citizen and Goldsmith of London ; have, at their own great cost and charges, undertaken an expedition for Hudson's Bay, in the north-west part of America, for the discovery of a new passage into the South Sea, and for the finding some trade for furs, minerals and other considerable commodities, and by such, their undertaking, have already made such discoveries as do encourage them to proceed further in pursuance of their said design. by means whereof there may probably arise very great advantage to us and our kingdom : And, whereas the said undertakers for their further encouragement in the said design, have humbly besought us to incorporate them, and grant unto them and their successors the sole trade and commerce of all those seas, straits, bays, rivers, lakes, creeks and sounds, in whatsoever latitude they shall be, that lie within the entrance of the straits, commonly called Hudson's Straits, together with all the lands, countries and territories upon the coasts and confines of the seas, straits, bays, lakes, rivers, creeks and sounds, afore-

said, which are not now actually possessed by any of our subjects, or by the subjects of any other Christian Prince or State. Now Know Ye, that we, being desirous to promote all endeavors tending to the public good of our people, and to encourage the said undertaking, have of our special grace, certain knowledge and mere motion, given, granted, ratified and confirmed, and by these presents, for us, our heirs and successors do give grant, ratify and confirm unto our said cousin, Prince Rupert, Christopher, Duke of Albemarle; William, Earl of Craven; Henry, Lord Arlington; Anthony, Lord Ashley; Sir John Robinson, Sir Robert Vyner, Sir Peter Colleton, Sir Edward Hungerford, Sir Paul Neele, Sir John Griffith and Sir Philip Carteret, James Hayes, John Kirke, Francis Millington, William Prettyman, John Fenn and John Portman, that they, and such others as shall be admitted into the said society as is hereafter expressed, shall be one body, corporate and politic, in deed and in name, by the name of "The Governor and Company of Adventurers of England, trading into Hudson's Bay," and them by the name of the "Governor and Company of Adventurers of England, trading into Hudson's Bay" one body corporate and politic, in deed and in name, really and fully forever, for us, our heirs and successors, we do make, ordain, constitute, establish confirm and declare by these presents, and that by the same name of "Governor and Company of Adventurers of England, trading into Hudson's Bay," they shall have perpetual succession, and that they and their successors, by the name of "The Governor and Company of Adventurers of England, trading into Hudson's Bay," be, and at all times hereafter shall be personable and capable in law, to have, purchase, receive, possess, enjoy and retain lands, rents, privileges, liberties, jurisdictions, franchises and hereditaments, of what kind nature or quality soever they may be, to them and their successors; and also to give, grant, demise, alien, assign and dispose lands, tenements and hereditaments, and to do and execute all and singular other things by the same name that to them shall or may appertain to do; and that they and their successors, by the name of "The Governor and Company of Adventurers of England trading into Hudson's Bay," may plead and be impleaded, answer and be answered, defend and be defended, in whatsoever courts and places, before whatsoever judges and justices, and other persons and officers, in all and singular actions pleas, suits, quarrels, causes and demands whatsoever, of whatsoever kind, nature or sort in such manner and form as any other our liege people of this our realm of England, being persons able and capable in law, may or can have, purchase, receive, possess, enjoy, retain, give, grant, demise, alien, assign, dispose, plead, defend and be defended, do permit and execute; and that the said "Governor and Company of Adventurers of England, trading into Hudson's Bay," and their successors may have a common seal to serve for all

yond the receipt of the above mentioned duties, shall be met by the Dominion of Canada.

4th.—That while the burden of public expense in this territory is borne by Canada, the country be governed under a Lieutenant-Governor from Canada, and a Legislature, three members of whom being heads of departments of the government, shall be nominated by the Governor-General of Canada.

5th.—That after the expiration of this exceptional period, the country shall be governed, as regards its local affairs, as the Provinces of Ontario and Quebec are now governed by a Legislature by the people, and a Ministry responsible to it under a Lieutenant-Governor appointed by the Governor-General of Canada.

6th.—That there shall be no interference by the Dominion Parliament in the local affairs of this territory, other than is allowed in the provinces, and that this territory shall have and enjoy in all respects the same privileges, advantages and aids in meeting the public expenses of this territory, as the provinces have and enjoy.

7th.—That while the North-West remains a territory, the legislature have a right to pass all laws, local to the territory, over the veto of the Lieutenant-Governor by a two-thirds vote.

8th —A homestead and pre-emption law.

9th.—That while the North-West remains a territory, the sum of \$25,000 a year be appropriated for schools, roads and bridges.

10th.—That all the public buildings be at the expense of the Dominion treasury.

11th.—That there shall be guaranteed uninterrupted steam communication to Lake Superior, within five years, and also the establishment by rail of a connection with the American railway as soon as it reaches the international line.

12th.—That the military force required in this country be composed of the natives of the country, during four years.

(The above was lost by a vote of 16 yeas to 23 nays, and consequently struck out of the list.)

12th.—That the English and French languages be common in the legislature and courts, and that all public documents and Acts of the legislature be published in both languages.

13th.—That the Judge of the Supreme Court speak the French and English languages.

14th.—That treaties be concluded between the Dominion and the several Indian tribes of the country, as soon as possible.

15th.—That, until the population of the country entitles us to more, we have three representatives in the Canadian Parliament ; one in the Senate, and two in the Legislative Assembly.

that it shall and may be lawful to and for the said Governor and Company for the time being, or the greater part of them present at any public assembly, commonly called the Court General, to be holden for the said Company, the Governor of the said Company being always one, from time to time to elect, nominate and appoint one of the said Company to be Deputy to the said Governor, which Deputy shall take a corporal oath, before the Governor and three or more of the Committee of the said Company for the time being, well, truly and faithfully to execute his said office of Deputy to the Governor of the said Company, and after his oath so taken shall and may from time to time in the absence of the said Governor, exercise and execute the office of Governor of the said Company, in such sort as the said Governor ought to do : And further we will and grant by these presents, for us our heirs and successors, unto the said Governor and Company of Adventurers of England trading into Hudson's Bay, and their successors, that they, or the greater part of them, whereof the Governor for the time being or his Deputy to be one, from time to time, and at all times hereafter, shall and may have authority and power, yearly and every year, between the first and last day of November, to assemble and meet together in some convenient place, to be appointed from time to time by the Governor, or in his absence by the Deputy of the said Governor for the time being and that they being so assembled, it shall and may be lawful to and for the said Governor or Deputy of the said Governor, and the said Company for the time being, or the greater part of them which then shall happen to be present, whereof the Governor of the said Company or his Deputy for the time being to be one, to elect and nominate one of the said Company, which shall be Governor of the said Company for one whole year then next following, which person being so elected and nominated to be Governor of the said Company as is aforesaid, before he be admitted to the execution of the said office, shall take a corporal oath before the last Governor, being his predecessor or his Deputy, and any three or more of the Committee of the said Company for the time being, that he shall from time to time well and truly execute the office of Governor of the said Company in all things concerning the same ; and that immediately after the same oath so taken, he shall and may execute and use the said office of Governor of the said Company for one whole year from thence next following ; And in like sort we will and grant, that as well, every one of the above-named to be of the said Company, or Fellowship, as all others hereafter to be admitted or free of the said Company, shall take a corporal oath before the Governor of the said Company or his Deputy for the time being to such effect as by the said Governor and Company, or the greater part of them, in any public Court to be held for the said Company, shall be in reasonable or legal manner set down and devised, before they shall be allowed or admitted to trade or traffic as

that any arrangements with reference to the transfer of this country shall be carried on only with the people of this country."

The next day this proposal was discussed, and, when put in form of a motion, was defeated by a vote of 17 yeas and 22 nays, upon which Riel arose in excitement, exclaiming, "The devil take it; we must win. The vote may go as it likes, but the measure must be carried." He then abused, in very strong language, three of the French half-breed delegates, Nolin, Klyne, and Harrison, who had voted against his motion, but Nolin resented the attack vigorously. "Let me tell you, Mr. Riel," he said, "that I was sent here by my parish. I never sought the position, and if, as you say, I am lost to public affairs, I would be rather glad of it. You, Mr. Riel, did what you could to prevent my coming here, and failed: and if it suited my purpose to come back again, I would come at the call of my parish in spite of you." The convention then broke up in some confusion, but not until it was arranged that Commissioner Smith's views on the "List of Rights" should be heard the next day.

In the meantime Riel, who seemed to have lost his head over the defeat which he had suffered in the convention, went in a cowardly manner to the sick-bed of Governor Mactavish and abused him, even, it is said, threatening to have him shot that night. He then took Dr. Cowan prisoner, and confined him with the rest of the prisoners, and behaved altogether like a madman. He next took Mr. A. G. B. Bannatyne prisoner, for having visited the fort against his orders, and started out to capture Chas. Nolin, but the latter and his friends showed such a bold front that Riel abandoned the attempt. If he had persisted, there is no doubt the Nolins would have killed him.

inate one other of the said Company to be Governor or Deputy-Governor for the said Company, in the place and stead of him that so died or was removed, which person, being so elected and nominated to the office of Governor or Deputy Governor of the said Company, shall have and exercise the said office for and during the residue of the said year, taking first a corporal oath, as is aforesaid, for the due execution thereof, and this to be done from time to time so often as the case shall so require. And also, our will and pleasure is, and by these presents for us, our heirs and successors, we do grant unto the said Governor and Company, that when, and as often as it shall happen, any person or persons of the Committee of the said Company, for the time being, at any time within one year next after that they or any of them shall be nominated, elected and sworn to the office of Committee of the said Company, as is aforesaid, to die or be removed from the said office, which Committees not demeaning themselves well in their said office, we will to be removable at the pleasure of the said Governor and Company, or the greater part of them, whereof the Governor of the said Company, for the time being, or his Deputy, to be one, that then and so often, it shall and may be lawful to and for the said Governor, and the rest of the Company for the time being, or the greater part of them, whereof the Governor, for the time being, or his Deputy to be one, within convenient time after the death or removing of any of the said Committee, to assemble themselves in such convenient place as is or shall be usual and accustomed for the election of the Governor of the said Company, or where else the Governor of the said Company, for the time being, or his Deputy shall appoint: And that the said Governor and Company, or the greater part of them, whereof the Governor, for the time being, or his Deputy to be one, being then and there present, shall and may, then and there, before their departure from the said place, elect and nominate one or more of the said Company to be of the Committee of the said Company in the place and stead of him or them that so died, or were or was so removed, which person or persons so nominated and elected to the office of Committee of the said Company, shall have and exercise the said office for and during the residue of the said year, taking first a corporal oath, as is aforesaid, for the due execution thereof, and this to be done from time to time, so often as the case shall require: And to the end the said Governor and Company of Adventurers of England, trading into Hudson's Bay, may be encouraged to undertake and effectually to prosecute the said design, of our more especial grace, certain knowledge, and mere motion, we have given, granted, and confirmed, and by these presents for us, our heirs and successors, do give, grant and confirm, unto the said Governor and Company, and their successors, the sole trade and commerce of all those seas, straits, bays, rivers, lakes, creeks and sounds, in whatsoever latitude they shall be, that lie

ing the elective principle, and Parliament would then have been asked to pass an Act on the subject, the Government having no power to settle such a matter without an Act. Bearing this in mind, I do not hesitate to give it as my opinion that the Dominion Government will ask Parliament to provide a liberal government for the country while it remains a territory.

Fifth—I have the most explicit assurance from the Canadian Government that such will be the case.

Sixth—For this, the Dominion Government will provide in a liberal spirit.

Seventh—This article brings up some constitutional considerations, with which it would be presumption on my part were I to deal summarily. But I will repeat most distinctly that the Dominion Government will pay the utmost deference to the wishes of the convention as regards this and all other matters in connection with the government of the country, and I have full confidence that the decision arrived at will be acceptable to the people.

Eighth—I have been instructed by the Canadian Government to make known to the people of this settlement that all property held by residents in peaceable possession will be secured to them, and that a most liberal land policy in regard to the future settlement of the country will be adopted—every privilege in this respect enjoyed in Ontario or Quebec being extended to the territory.

Ninth—I feel certain that an amount even exceeding that here mentioned will be appropriated for the purposes referred to.

Tenth—I can safely promise that the Dominion Government will defray the cost of all the public buildings required for the general business of the territory.

and of all governors of colonies, forts and plantations, factors, masters, mariners, and other officers employed, or to be employed, in any of the territories and lands aforesaid, and in any of their voyages, and for the better advancement and continuance of the said trade or traffic, and plantations, and the same laws, constitutions, orders and ordinances so made, to put in, use and execute accordingly, and at their pleasure to revoke and alter the same, or any of them, as the occasion shall require, and that the said Governor and Company, so often as they shall make, ordain, or establish any such laws, constitutions, orders and ordinances, in such form as aforesaid, shall and may lawfully impose, ordain, limit, and provide such pains, penalties, and punishments upon all offenders, contrary to such laws, constitutions, orders and ordinances, or any of them, as to the said Governor and Company, for the time being, or the greater part of them, then and there being present, the said Governor or his Deputy being always one, shall seem necessary, requisite, or convenient for the observation of the same laws, constitutions, orders, and ordinances and the same fines and amerciaments shall and may, by their officers and servants, from time to time to be appointed for that purpose, levy, take and have, to the use of the said Governor and Company, and their successors, without the impediment of us, our heirs, or successor, or of any the officers or ministers of us, our heirs, or successors, and without any account therefor to us, our heirs, or successors, to be made : All and singular which laws, constitutions, orders and ordinances, so as aforesaid to be made, we will to be duly observed and kept under the pains and penalties therein to be contained ; so always as the said laws, constitutions, orders and ordinances, fines and amerciaments, be reasonable, and not contrary or repugnant, but as near as may be agreeable to the laws, statutes or customs of this our realm. And furthermore, of our ample and abundant grace, certain knowledge and mere motion, we have granted, and by these presents, for us, our heirs and successors, do grant unto the said Governor and Company, and their successors, that they and their successors, and their factors, servants, and agents, for them and on their behalf, and not otherwise, shall forever hereafter have, use and enjoy, not only the whole, entire and only trade and traffic, and the whole, entire and only liberty, use and privilege of trading and trafficking to and from the territory, limits, and places aforesaid ; but also the whole and entire trade and traffic to and from all havens, bays, creeks, rivers, lakes and seas, into which they shall find entrance or passage by water or land out of the territories, limits or places aforesaid ; and to and with all the natives and people inhabiting, or which shall inhabit within the territories, limits and places aforesaid ; and to and with all other nations inhabiting any of the coasts adjacent to the said territories, limits and places which are not already possessed as aforesaid, or whereof the sole

liberty or privilege of trade and traffic is not granted to any other of our subjects : And we, of our further royal favor, and of our more especial grace, certain knowledge and mere motion, have granted, and by these presents, for us, our heirs and successors, do grant to the said Governor and Company, and to their successors, that neither the said territories, limits and places, hereby granted as aforesaid, nor any part thereof, nor the islands, havens, ports, cities, towns, or places thereof, or therein contained, shall be visited, frequented, or haunted by any of the subjects of us, our heirs, or successors, contrary to the true meaning of these presents, and by virtue of our prerogative royal, which we will not have in that behalf argued or brought into question : We strictly charge, command and prohibit for us, our heirs and successors, all the subjects of us, our heirs and successors, of what degree or quality soever they be, that none of them, directly or indirectly, do visit, haunt, frequent or trade, traffic, or adventure, by way of merchandise, into or from any of the said territories, limits or places hereby granted, or any, or either of them, other than the said Governor and Company, and such particular persons as now be, or hereafter shall be, of that Company, their agents, factors and assigns, unless it be by the license and agreement of the said Governor and Company, in writing first had and obtained, under the common seal, to be granted, upon pain that every such person or persons that shall trade or traffic into or from any of the countries, territories or limits aforesaid, other than the said Governor and Company, and their successors, shall incur our indignation, and the forfeiture and loss of the goods, merchandise, and other things whatsoever, which so shall be brought into this realm of England, or any of the dominions of the same, contrary to our said prohibition, or the purport or true meaning of these presents, for which the said Governor and Company shall find, take and seize in other places out of our dominions, where the said Company, their agents, factors or ministers, shall trade, traffic, or inhabit, by virtue of these our letters patent, as also the ship and ships, with the furniture thereof, wherein such goods, merchandises, and other things, shall be brought and found ; the one-half of all the said forfeitures to be to us, our heirs and successors, and the other half thereof we do by these presents clearly and wholly, for us, our heirs and successors, give and grant unto the said Governor and Company, and their successors : And further, all and every the said offenders, for the said contempt, to suffer such other punishment as to us, our heirs and successors, for so high a contempt, shall seem meet and convenient, and not to be in any wise delivered until they and every one of them shall become bound unto the said Governor for the time being, in the sum of one thousand pounds at the least, at no time thereafter to trade or traffic into any of the said places, seas, straits, bays, ports, havens, or territories aforesaid, contrary to our express command-

ment in that behalf set down and published. And further, of our more especial grace, we have condescended and granted, and by these presents, for us our heirs and successors, do grant unto the said Governor and Company, and their successors, that we, our heirs and successors, will not grant liberty, license or power to any person or persons whatsoever, contrary to the tenor of these our letters patent, to trade, traffic, or inhabit, unto or upon any the territories, limits or places afore specified, contrary to the true meaning of these presents, without the consent of the said Governor and Company, or the most part of them. And, of our more abundant grace and favor to the said Governor and Company, we do hereby declare our will and pleasure to be, that if it shall so happen that any of the persons free or to be free of the said Company of adventurers of England trading into Hudson's Bay, who shall, before the going forth of any ship or ships appointed for a voyage or otherwise, promise or agree, by writing under his or their hands, to adventure any sum or sums of money towards the furnishing any provision or maintenance of any voyage or voyages, set forth, or to be set forth, or intended or meant to be set forth by the said Governor and Company, or the more part of them present at any public assembly, commonly called their general court, shall not within the space of twenty days next after warning given to him or them by the said Governor or Company, or their known officer or minister, bring in and deliver to the Treasurer or Treasurers, appointed for the Company such sums of money as shall have been expressed and set down in writing by the said person or persons, subscribed with the name of said adventure or adventurers, that then and at all times after it shall and may be lawful to and for the said Governor and Company, or the more part of them present, whereof the said Governor or his Deputy to be one, at any of their general courts or general assemblies, to remove and disfranchise him or them, and every such person and persons at their wills and pleasures, and he or they so removed and disfranchised, not to be permitted to trade into the countries, territories, and limits aforesaid, or any part thereof, nor to have any adventure or stock going or remaining with or amongst the said Company, without the special license of the said Governor and Company, or the more part of them present at any General Court, first had and obtained in that behalf, any thing before in these presents to the contrary thereof in any wise notwithstanding: And our will and pleasure is, and hereby we do also ordain, that it shall and may be lawful to and for the said Governor and Company, or the greater part of them, whereof the Governor for the time being or his Deputy to be one, to admit into and to be of the said company all such servants and factors, of or for the said Company, and all such others as to them or the most part of them present, at any Court held for the said Company, the Governor or his Deputy being one, shall be thought fit and agreeable with the orders and or-

dinances made and to be made for the Government of the said Company : And further, our will and pleasure is, and by these presents, for us, our heirs and successors, we do grant unto the said Governor and Company, and to their successors, that it shall and may be lawful in all elections and by-laws to be made by the General Court of the Adventurers of the said Company that every person shall have a number of votes according to his stock, that is to say, for every hundred pounds by him subscribed or brought into the present stock, one vote, and that any of those that have subscribed or brought into the present stock, one vote, and that any of those that have subscribed less than one hundred pounds, may join their respective sums to make up one hundred pounds, and have one vote jointly for the same, and not otherwise : And further of our especial grace, certain knowledge and mere motion, we do for us, our heirs and successors, grant to and with the said Governor and Company of Adventurers of England trading into Hudson's Bay, that all lands, islands, territories, plantations, forts, fortifications, factories or colonies, where the said Company's factories and trade are or shall be, within any the posts or places afore limited, shall be immediately and from henceforth under the power and command of the said Governor and Company, their successors and assigns ; saving the faith and allegiance due to be performed to us, our heirs and successors as aforesaid ; and that the said Governor and Company shall have liberty, full power and authority to appoint and establish Governors and all other officers to govern them, and that the Governor and his Council of the several and respective places where the said Company shall have plantations, forts, factories, colonies, or places of trade within any of the countries, lands or territories hereby granted may have power to judge all persons belonging to the said Governor and Company, or that shall live under them, in all causes, whether civil or criminal, according to the laws of this kingdom, and to execute justice accordingly ; and in case any crime or misdemeanour shall be committed in any of the said Company's plantations, forts, factories, or places of trade within the limits aforesaid, where judicature cannot be executed for want of a Governor and Council there, then in such case it shall and may be lawful for the chief factor of that place and his Council to transmit the party, together with the offence, to such other plantation, factory or fort where there shall be a Governor and Council, where justice may be executed, or into this kingdom of England, as shall be thought most convenient, there to receive such punishment as the nature of his offence shall deserve : And moreover, our will and pleasure is, and by these presents, for us, our heirs and successors, we do give and grant unto the said Governor and Company, and their successors, free liberty and license, in case they conceive it necessary, to send either ships of war, men or ammunition, unto any of their plantations, forts, factories or places

of trade aforesaid, for the security and defence of the same, and to choose commanders and officers over them, and to give them power and authority, by commission under their common seal, or otherwise, to continue or make peace or war with any prince or people whatsoever, that are not Christians, in any places where the said Company shall have any plantations, forts, or factories, or adjacent thereunto, as shall be most for the advantage and benefit of the said Governor and Company, and of their trade, and also to right and recompense themselves upon the goods, estates or people of those posts, by whom the said Governor and Company shall sustain any injury, loss or damage, or upon any other people whatsoever that shall any way, contrary to the intent of these presents, interrupt wrong, or injure them in their said trade, within the said places, territories, and limits granted by this charter. And that it shall and may be lawful to and for the said Governor and Company, and their successors, from time to time, and at all times from henceforth, to erect and build such castles, fortifications, forts, garrisons, colonies, or plantations, towns or villages, in any part or places within the limits and bounds granted before in these presents unto the said Governor and Company, as they in their discretion shall think fit and requisite, and for the supply of such as shall be needful and convenient, to keep and be in the same, to send out of this kingdom, to the said castles, forts, fortifications, garrisons, colonies, plantations, towns or villages, all kinds of clothing, provision of victuals, ammunition and implements necessary for such purpose, paying the duties and customs for the same, as also to transport and carry over such number of men, being willing themselves, or not prohibited, as they shall think fit, and also to govern them in such legal and reasonable manner as the said Governor and Company shall think best, and to inflict punishment for misdemeanors or impose such fines upon them for breach of their orders, as in these presents are formerly expressed : And further, our will and pleasure is, and by these presents, for us, our heirs and successors, we do grant unto the said Governor and Company, and to their successors, full power and lawful authority to seize upon the persons of all such English, or any other our subjects which shall sail into Hudson's Bay, or inhabit in any of the countries, islands or territories hereby granted to the said Governor and Company, without their leave and license in that behalf first had and obtained, or that shall condemn or disobey their orders, and send them to England ; and that all and every person or persons, being our subjects, any ways employed by the said Governor and Company, within any the parts, places, and limits aforesaid, shall be liable unto and suffer such punishment for any offences by them committed in the parts aforesaid, as the President and Council for the said Governor and Company there shall think fit, and the merit for the offence shall require, as

aforesaid ; and in case any person or persons being convicted and sentenced by the President and Council of the said Governor and Company, in the countries, lands or limits aforesaid, their factors or agents there, for any offence by them done, shall appeal from the same, that then and in such case it shall and may be lawful to and for the said President and Council, factors or agents, to seize upon him or them, and to carry him or them home prisoners into England, to the said Governor and Company, there to receive such condign punishment as his cause shall require, and the laws of this nation allow of ; and for the better discovery of abuses and injuries to be done unto the said Governor and Company, or their successors, by any servant by them to be employed in the said voyages and plantations, it shall and may be lawful to and for the said Governor and Company, and their respective President, Chief Agent or Governor in the parts aforesaid, to examine upon oath all factors, masters, pursers, supercargoes, commanders of castles, forts, fortifications, plantations or colonies, or other persons, touching or concerning any matter or thing in which by law or usage an oath may be administered, so as the said oath, and the matter therein contained, be not repugnant, but agreeable to the laws of this realm : And we do hereby strictly charge and command all and singular our Admirals, Vice-Admirals, Justices, Mayors, Sheriffs, Constables, Bailiffs, and all and singular other our officers, ministers, liege men and subjects whatsoever, to be aiding, favouring, helping and assisting to the said Governor and Company, and to their successors, and to their deputies, officers, factors, servants, assigns and ministers, and every of them, executing, and enjoying the premises as well on land as on sea, from time to time, when any of you shall thereunto be required : Any statute, act, ordinance, proviso, proclamation or restraint heretofore had, made, set forth, ordained, or provided, or any other matter, cause or thing whatsoever to the contrary in anywise notwithstanding. In witness whereof we have caused these our Letters to be made Patent. Witness ourself at Westminster, the second day of May, in the two-and twentieth year of our reign.

By Writ of Privy Seal.

PIGOTT.

No. 2.

**CROWN GRANT TO THE HUDSON'S BAY COMPANY OF EXCLUSIVE TRADE,
1821.****GEORGE R.**

(L. S.)

**GEORGE THE FOURTH, by the Grace of God of the United
Kingdom of Great Britain and Ireland, King, De-
fender of the Faith.***To all whom these Presents shall come, GREETING :*

WHEREAS An Act passed in the second year of our reign, intituled, “An Act for regulating the Fur Trade, and for establishing a Criminal and Civil Jurisdiction within certain parts of North America ; wherein it is amongst other things enacted, that from and after the passing of the said Act, it should be lawful for us, our heirs or successors, to make grants or give our Royal License, under the hand and seal of one of our Principal Secretaries of State to any body corporate or company, or person or persons, of or for the exclusive privilege of trading with the Indians in all such parts of North America as should be specified in any such Grants or Licenses respectively, not being part of the lands or territories heretofore granted to the Governor and Company of Adventurers of England trading to Hudson's Bay, and not being part of any of our provinces in North America, or of any lands or territories belonging to the United States of America, and that all such Grants and Licenses should be good, valid and effectual, for the purpose of securing to all such bodies corporate, or companies, or persons, the sole and exclusive privilege of trading with the Indians, in all such parts of North America (except as thereafter excepted) as should be specified in such Grants or Licenses, anything contained in any Act or Acts of Parliament, or any law to the contrary notwithstanding : and it was in the said Act further enacted, that no such Grant or License made or given by us, our heirs or successors, of any such exclusive privileges of trading with the Indians in such parts of North America as aforesaid should be made or given for any longer period than 21 years, and that no rent should be required or demanded for or in respect of any such Grant or License, or any privileges given thereby, under the provisions of the said Act, for the first period of 21 years : and it was further enacted, that from and after the passing of the said Act, the Governor and Company of Adventurers of England trading to Hudson's Bay, and every body corporate and company and person, to whom every such Grant or License should be made or given as aforesaid, should respectively keep accurate registers of all parties in their employ, in any

parts of North America, and should once in each year return to our Principal Secretaries of State accurate duplicates of such registers, and should also enter into such security as should be required by us for the due execution of all criminal processes, and of any civil process in any suit where the matter in dispute should exceed 200*l.*, and as well within the territories included in any such grant as within those granted by Charter to the Governor and Company of Adventurers of England trading to Hudson's Bay, and for the producing and delivery into safe custody, for the purpose of trial, all persons in their employ, or acting under their authority, who should be charged with any criminal offence, and also for the due and faithful observance of all such rules, regulations and stipulations as should be contained in any such Grant or License, either for gradually diminishing and ultimately preventing the sale or distribution of spirituous liquors to the Indians, or for promoting their moral and religious improvement ; or for any other object which we might deem necessary for the remedy or prevention of any other evils which have been hitherto found to exist : And whereas it was also in the said Act recited, that by a Convention entered into between his late Majesty and the United States of America, it was stipulated and agreed that every country on the North-West coast of America to the westward of the Stony Mountains should be free and open to the citizens and subjects of the two powers for the term of ten years from the date of the signature of that Convention ; and it was therefore enacted, that nothing in the said Act contained should be deemed or construed to authorise any body corporate, company or person, to whom his Majesty might, under the provisions of the said Act, make or grant, or give a license of exclusive trade with the Indians, in such parts of North America as aforesaid, to claim or exercise any such exclusive trade within the limits specified in the said article, to the prejudice or exclusion of any citizens of the United States of America who might be engaged in the same trade : Provided always that no British subject should trade with the Indians within such limits without such Grant or License as was by the said Act required.

And whereas the said Governor and Company of Adventurers of England, trading into Hudson's Bay, and certain Associations of persons trading under the name of the " North-west Company of Montreal." have respectively extended the fur trade over many parts of North America which had not been before explored : And whereas the competition in the said trade has been found for some years past to be productive of great inconvenience and loss, not only to the said Company and Associations, but to the said trade in general, and also of great injury to the native Indians, and of other persons our subjects : And whereas the said Governor and Company of Adventurers of England, trading into Hudson's Bay, and William M'Gillivray, of Montreal, in the province of Lower

Canada, ~~esquire~~, Simon M Gillivray, of Suffolk lane, in the City of London, merchants, and Edward Ellice, of Spring Gardens, in the county of Middlesex, esquire, have represented to us, that they have entered into an agreement on the 26th day of March last, for putting an end to the said competition and carrying on the said trade for 21 years, commencing with the outfit of 1821, and ending with the returns of 1841, to be carried on in the name of the said Governor and Company exclusively

And whereas the said ~~company~~, and William M Gillivray and Simon M Gillivray and ~~company~~ have humbly besought us to make a grant, and give our royal ~~license~~ to them jointly, of and for the exclusive privilege of trading with the Indians in North America, under the restrictions and upon the terms ~~of the~~ conditions specified in the said recited Act: Now know ye, that we being desirous of encouraging the said trade and remedying the evils which have arisen from the competition which has heretofore existed therein, we do hereby grant and give our Royal License, under the hand and seal of one of our principal Secretaries of State, to the said Governor and Company, and William M Gillivray, Simon M Gillivray and Edward Ellice, for the exclusive privilege of trading with the Indians in all such parts of North America to the northward and the westward of the lands and territories belonging to the United States of America as shall not form part of any of our provinces in North America, or of any lands or territories belonging to the said United States of America, or to any European Government, state or power; and we do by these presents, give, grant and secure to the said Governor and Company, and William M Gillivray, Simon M Gillivray and Edward Ellice, jointly, the sole and exclusive privilege, for the full period of 21 years from the date of this our grant, of trading with the Indians in all such parts of North America as aforesaid (except as hereinafter excepted); and we do hereby declare that no rent shall be required or demanded for or in respect of this our Grant and License, or any privileges given thereby, for the said period of 21 years, but that the said Governor and Company and the said William M Gillivray, Simon M Gillivray and Edward Ellice shall, during the period of this our Grant and License, keep accurate registers of all persons in their employ in any parts of North America and shall once in each year return to our Secretary of State accurate duplicates of such registers, and shall also enter into and give security to us, our heirs and successors, in the penal sum of 5,000*l.* for ensuring, as far as in them may lie, the due execution of all criminal processes, and of any civil process in any suit where the matter in dispute shall exceed 200*l.* by the officers and persons legally empowered to execute such processes within all the territories included in this our grant, and for the producing and delivering into safe custody, for the purposes of trial, any persons in their employ, or acting under their authority within the said territories, who may be charged with any criminal offence.

And we do also hereby require, that the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice shall, as soon as the same can be conveniently done, make and submit for our consideration and approval such rules and regulations for the management and carrying on the said fur trade with the Indians, and the conduct of the persons employed by them therein, as may appear to us to be effectual for gradually diminishing or ultimately preventing the sale or distribution of spirituous liquors to the Indians, and for promoting their moral and religious improvement.

And we do hereby declare, that nothing in this our grant contained shall be deemed or construed to authorise the said Governor and Company, or William M'Gillivray, Simon M'Gillivray and Edward Ellice, or any person in their employ, to claim or exercise any trade with the Indians on the North-West coast of America to the westward of the Stony Mountains, to the prejudice or exclusion of any of the citizens of the United States of America who may be engaged in the same trade : Provided always that no British subjects other than and except the said Governor and Company, and the said William M'Gillivray, Simon M'Gillivray and Edward Ellice, and the persons authorised to carry on exclusive trade by them on Grant, shall trade with the Indians within such limits during the period of this our Grant.

Given at our Court at Carlton-house,
the 5th day of December, 1821, in
the second year of our reign.

By His Majesty's command.

(L. S.) BATHURST.

No. 3.

**CROWN GRANT TO THE HUDSON'S BAY COMPANY OF THE EXCLUSIVE
TRADE WITH THE INDIANS IN CERTAIN PARTS OF NORTH AMERICA,
FOR A FURTHER TERM OF TWENTY-ONE YEARS, AND UPON THE SUR-
RENDER OF A FORMER GRANT.**

VICTORIA R.

(L. S.) **VICTORIA.** by the Grace of God of the United Kingdom
of Great Britain and Ireland, **QUEEN**, Defender of
the Faith.

To all to whom these Presents shall come, GREETING :

WHEREAS, by an Act passed in the Session of Parliament holden in the
first and second years of the reign of His late Majesty King George the

Fourth, entitled "An Act for regulating the Fur Trade, and establishing a Criminal and Civil Jurisdiction within certain parts of North America." it was amongst other things, enacted, that from and after the passing of the said Act, it should be lawful for His said Majesty, his heirs or successors, to make Grants, or give his or their Royal License, under the hand and seal of one of his or their principal Secretaries of State, to any body corporate or Company, or person or persons, of or for the exclusive privilege of trading with the Indians in all such parts of North America as should be specified in any such Grants or Licenses respectively, not being part of the lands and territories theretofore granted to the Governor and Company of Adventurers of England trading to Hudson's Bay, and not being part of any of our provinces in North America or of any lands or territories belonging to the United States of America, and that all such Grants and Licenses should be good, valid and effectual for the purpose of securing to all such bodies corporate, or companies, or persons, the sole and exclusive privilege of trading with the Indians in all such parts of North America (except as thereafter excepted) as should be specified in such Grants or Licenses anything contained in any Act or Acts of Parliament, or any law to the contrary notwithstanding; and it was further enacted, that no such Grant or License made or given by His said Majesty, his heirs or successors, of any such exclusive privileges of trading with the Indians in such parts of North America as aforesaid, should be made or given for any longer period than 21 years and that no rent should be required or demanded for or in respect of any such Grant or License, or any such privileges given thereby under the provisions of the said Act for the first period of 21 years; and it was further enacted, that from and after the passing of the said Act, the Governor and Company of Adventurers trading to Hudson's Bay, and every body corporate and company, and person to whom any such Grant or License should be made or given as aforesaid, should respectively keep accurate registers of all persons in their employ in any parts of North America, and should once in each year return to the Principal Secretaries of State accurate duplicates of such registers, and should also enter into such security as should be required for the due execution of all processes criminal and civil as well within the territories included within any such Grants, as within those granted by Charter to the Governor and Company of Adventurers of England trading to Hudson's Bay, and for the producing or delivering in to safe custody, for the purpose of trial, all persons in their employ or acting under their authority, who should be charged with any criminal offence, and also for the due and faithful observance of all such rules, regulations and stipulations as should be contained in any such Grant or License, either for gradually diminishing and ultimately preventing the sale or distribution of spirituous liquors to the Indians, or for promoting their moral

and religious improvement, or for any other object which might be deemed necessary for the remedy or prevention of any other evils which had hitherto been found to exist ; and where as it was in the said Act recited, that by a convention entered into between his said late Majesty and the United States of America, it was stipulated and agreed, that every country on the North-West Coasts of America to the westward of the Stony Mountains should be free and open to the citizens and subjects of the two powers for the term of ten years from the date of the signature of that convention ; and it was therefore enacted, that nothing in the said Act contained should be deemed or construed to authorise any body corporate, company or person to whom his said Majesty might, under the provisions of the said Act, make or grant or give a license of exclusive trade with the Indians in such parts of North America as aforesaid to claim or exercise any such exclusive trade within the limits specified in the said article, to the prejudice or exclusion of any citizens of the said United States of America who might be engaged in the said trade ; with a proviso, that no British subject should trade with the Indians within such limits without such Grant or License as was by the said Act required :

And whereas by an instrument under the hand and seal of the Right Honorable Earl Bathurst, then one of his said late Majesty's Secretaries of State, and dated the 6th day of December, 1821, after reciting therein, as or to the effect aforesaid, and also reciting that the said Governor and Company of adventurers of England trading to Hudson's Bay, and certain Associations of persons trading under the name of " The North-West Company of Montreal," had respectively extended the fur trade over many parts of North America which had not been before explored, and that the competition in the said trade had been found, for some years then past, to be productive of great inconvenience and loss, not only to the said Company and Associations, but to the said trade in general, and also of great injury to the native Indians, and of other persons, his said Majesty's subjects ; and that the said Governor and Company of Adventurers trading to Hudson's Bay ; and William McGillivray, of Montreal, in the Province of Lower Canada, esquire : Simon McGillivray, of Suffolk Lane, in the city of London merchant ; and Edward Ellice, of Spring Gardens, in the county of Middlesex, esquire : had represented to his said Majesty that they had entered into an agreement, on the 25th day of March last, for putting an end to the said competition, and carrying on the said trade for 21 years, commencing with the outfit of 1821, and ending with the returns of the outfit of 1841, to be carried on in the name of the said Governor and Company exclusively, and that the said Governor and Company, and William McGillivray, Simon McGillivray, and Edward Ellice, had humbly besought his said late Majesty to make a grant, and give his Royal License to them jointly of and for the

Fourth, entitled "An Act for regulating the Fur Trade, and establishing a Criminal and Civil Jurisdiction within certain parts of North America" it was amongst other things, enacted, that from and after the passing of the said Act, it should be lawful for His said Majesty, his heirs or successors, to make Grants, or give his or their Royal License, under the hand and seal of one of his or their principal Secretaries of State, to any body corporate or Company, or person or persons, of or for the exclusive privilege of trading with the Indians in all such parts of North America as should be specified in any such Grants or Licenses respectively, not being part of the lands and territories theretofore granted to the Governor and Company of Adventurers of England trading to Hudson's Bay, and not being part of any of our provinces in North America, or of any lands or territories belonging to the United States of America, and that all such Grants and Licenses should be good, valid and effectual for the purpose of securing to all such bodies corporate, or companies, or persons, the sole and exclusive privilege of trading with the Indians in all such parts of North America (except as thereafter excepted) as should be specified in such Grants or Licenses anything contained in any Act or Acts of Parliament, or any law to the contrary notwithstanding; and it was further enacted, that no such Grant or License made or given by His said Majesty, his heirs or successors, of any such exclusive privileges of trading with the Indians in such parts of North America as aforesaid, should be made or given for any longer period than 21 years and that no rent should be required or demanded for or in respect of any such Grant or License, or any such privileges given thereby under the provisions of the said Act for the first period of 21 years, and it was further enacted, that from and after the passing of the said Act, the Governor and Company of Adventurers trading to Hudson's Bay, and every body corporate and company, and person to whom any such Grant or License should be made or given as aforesaid, should respectively keep accurate registers of all persons in their employ in any parts of North America, and should once in each year return to the Principal Secretaries of State accurate duplicates of such registers, and should also enter into such security as should be required for the due execution of all processes criminal and civil, as well within the territories included within any such Grants, as within those granted by Charter to the Governor and Company of Adventurers of England trading to Hudson's Bay, and for the producing or delivering in-to safe custody, for the purpose of trial, all persons in their employ or acting under their authority, who should be charged with any criminal offence, and also for the due and faithful observance of all such rules, regulations and stipulations as should be contained in any such Grant or License, either for gradually diminishing and ultimately preventing the sale or distribution of spirituous liquors to the Indians, or for promoting their moral

and religious improvement, or for any other object which might be deemed necessary for the remedy or prevention of any other evils which had hitherto been found to exist ; and where as it was in the said Act recited, that by a convention entered into between his said late Majesty and the United States of America, it was stipulated and agreed, that every country on the North-West Coasts of America to the westward of the Stony Mountains should be free and open to the citizens and subjects of the two powers for the term of ten years from the date of the signature of that convention ; and it was therefore enacted, that nothing in the said Act contained should be deemed or construed to authorise any body corporate, company or person to whom his said Majesty might, under the provisions of the said Act, make or grant or give a license of exclusive trade with the Indians in such parts of North America as aforesaid to claim or exercise any such exclusive trade within the limits specified in the said article, to the prejudice or exclusion of any citizens of the said United States of America who might be engaged in the said trade ; with a proviso, that no British subject should trade with the Indians within such limits without such Grant or License as was by the said Act required :

And whereas by an instrument under the hand and seal of the Right Honorable Earl Bathurst, then one of his said late Majesty's Secretaries of State, and dated the 6th day of December, 1821, after reciting therein, as or to the effect aforesaid, and also reciting that the said Governor and Company of adventurers of England trading to Hudson's Bay, and certain Associations of persons trading under the name of " The North-West Company of Montreal," had respectively extended the fur trade over many parts of North America which had not been before explored, and that the competition in the said trade had been found, for some years then past, to be productive of great inconvenience and loss, not only to the said Company and Associations, but to the said trade in general, and also of great injury to the native Indians, and of other persons, his said Majesty's subjects ; and that the said Governor and Company of Adventurers trading to Hudson's Bay ; and William McGillivray, of Montreal, in the Province of Lower Canada, esquire ; Simon McGillivray, of Suffolk Lane, in the city of London merchant ; and Edward Ellice, of Spring Gardens, in the county of Middlesex, esquire ; had represented to his said Majesty that they had entered into an agreement, on the 20th day of March last, for putting an end to the said competition, and carrying on the said trade for 21 years, commencing with the outfit of 1821, and ending with the returns of the outfit of 1841, to be carried on in the name of the said Governor and Company exclusively, and that the said Governor and Company, and William McGillivray, Simon McGillivray, and Edward Ellice, had humbly besought his said late Majesty to make a grant, and give his Royal License to them jointly of and for the

exclusive privilege of trading with the Indians in North America, under the restrictions, and upon the terms and conditions specified in the said recited Act; his said late Majesty, being desirous of encouraging the said trade, and remedying the evils which had arisen from the competition which had theretofore existed therein, did give and grant his Royal License, under the hand and seal of one of his principal Secretaries of State, to the said Governor and Company, and William McGillivray, Simon McGillivray, and Edward Ellice, for the exclusive privilege of trading with the Indians in all such parts of North America to the northward and to the westward of the said lands and territories belonging to the United States of America, as should not form part of any of his said Majesty's provinces in North America, or of any lands or territories belonging to the said United States of America, or to any European Government, state or power; and his said late Majesty did also give, and grant, and secure to the said Governor and Company, and William McGillivray, Simon McGillivray, and Edward Ellice, the sole and exclusive privilege, for the full period of 21 years from the date of that grant, of trading with the Indians in all such parts of North America as aforesaid (except as therein-after excepted), and did thereby declare that no rent should be required or demanded for, or in respect of that grant and License, or any privileges given thereby for the said period of 21 years, but that the said Governor and Company of Adventurers trading to Hudson's Bay, and the said William McGillivray, Simon McGillivray, and Edward Ellice, should during the period of that grant and License, keep accurate registers of all persons in their employ in any parts of North America, and should once in each year return to his said Majesty's Secretary of State accurate duplicates of such registers, and enter into and give security to his said Majesty, his heirs and successors, in the penal sum of 5,000*l.* for ensuring as far as in them might lay, or as they could by their authority over the servants and persons in their employ, the due execution of all criminal processes, and of every civil process in any suit where the matter in dispute shall exceed 200*l.* by the officers and persons legally empowered to execute such processes within all the territories included in that grant, and for the producing or delivering into custody for purposes of trial all persons in their employ, or acting under their authority within the said territories, who should be charged with any criminal offence; and his said Majesty did thereby require that the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, should as soon as the same could be conveniently done, make and submit for his said Majesty's consideration and approval, such rules and regulations for the management and carrying on of the said fur trade with the Indians, and the conduct of the persons employed by them therein, as might appear to his said Majesty to be effectual for diminishing or preventing the

sale or distribution of spirituous liquors to the Indians, and for promoting their moral and religious improvement ; and his said Majesty did thereby declare, that nothing in that grant contained, should be deemed or construed to authorize the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, or any persons in their employ to claim or exercise any trade with the Indians on the North-West coast of America to the westward of the Stony Mountains, to the prejudice or exclusion of any citizens of the United States of America who might be engaged in the said trade ; and providing also by the now reciting grant, that no British subjects, other than and except the said Governor and Company, and the said William M'Gillivray, Simon M'Gillivray and Edward Ellice, and the persons authorized to carry on exclusive trade by them on grant, should trade with the Indians within such limits during the period of that grant ; and whereas the said Governor and Company have acquired to themselves all the rights and interests of the said William M'Gillivray, Simon M'Gillivray and Edward Ellice, under the said recited grant, and the said Governor and Company having humbly besought us to accept a surrender of the said grant, and in consideration thereof to make a grant to them, and give to them our Royal License and authority of and for the like exclusive privilege of trading with the Indians in North America, for the like period and upon similar terms and conditions to those specified and referred to in the said recited grant : Now know ye, that in consideration of the surrender made to us of the said recited grant, and being desirous of encouraging the said trade, and of preventing as much as possible a recurrence of the evils mentioned or referred to in the said recited grant : as also in consideration of the yearly rents hereinafter reserved to us, we do hereby grant and give our License, under the hand and seal of one of our principal Secretaries of State, to the said Governor and Company, and their successors, for the exclusive privilege of trading with the Indians in all such parts of North America to the northward and to the westward of the lands and territories belonging to the United States of America, as shall not form part of any of our provinces in North America, or of any lands or territories belonging to the said United States of America or to any European government, state or power, but subject nevertheless as hereinafter mentioned ; And we do by these presents give, grant and secure to the said Governor and Company, and their successors, the sole and exclusive privilege, for the full period of 21 years from the date of this our grant, of trading with the Indians in all such parts of North America as aforesaid. (except as hereinafter mentioned) : And we do hereby declare, that no rent shall be required or demanded for or in respect of this our grant and License, or any privileges given thereby, for the first four years of the said term of 21 years ; and we do hereby reserve to ourselves, our heirs and successors, for the remainder of the said term of

21 years, the yearly rent or sum of £s. to be paid by the said Governor and Company, or their successors, on the first day of June in every year, into our Exchequer, on the account of us, our heirs and successors, and we do hereby declare, that the said Governor and Company, and their successors, shall during the period of this our grant and License keep accurate registers of all persons in their employ in any parts of North America, and shall once in each year return to our Secretary of State accurate duplicates of such registers; and shall also enter into and give security to us, our heirs and successors, in the penal sum of £,000, for ensuring, as far as in them may lie, or as they can by their authority over the servants and persons in their employ, the due execution of all criminal and civil processes by the officers and persons legally empowered to execute such processes within all the territories included in this our grant, and for the producing or delivering into custody for the purposes of trial all persons in their employ or acting under their authority within the said territories who shall be charged with any criminal offence and we do also hereby require, that the said Governor and Company, and their successors, shall, as soon as the same can be conveniently done, make and submit for our consideration and approval such rules and regulations for the management and carrying on the said fur trade with the Indians, and the conduct of the persons employed by them therein, as may appear to us to be effectual for diminishing or preventing the sale or distribution of spirituous liquors to the Indians, and for promoting their moral and religious improvement: But we do hereby declare, that nothing in this our grant contained shall be deemed or construed to authorize the said Governor and Company, or their successors, or any persons in their employ, to claim or exercise any trade with the Indians or the North-West coast of America to the westward of the Stony Mountains to the prejudice or exclusion of any of the subjects of any foreign states, who under or by force of any convention for the time being between us and such foreign states respectively, may be entitled to and shall be engaged in the said trade: Provided nevertheless, and we do hereby declare our pleasure to be, that nothing herein contained shall extend or be construed to prevent the establishment by us, our heirs or successors, within the territories aforesaid, or any of them, of any colony or colonies, province or provinces, or for annexing any part of the aforesaid territories to any existing colony or colonies to us in right of our Imperial Crown, belonging, or for constituting any such form of civil government as to us may seem meet within any such colony or colonies, province or provinces: And we do hereby reserve to us, our heirs and successors, full power and authority to revoke these presents, or any part thereof, in so far as the same may embrace or extend to any of the territories aforesaid, which may hereafter be comprised within any colony or colonies, province or provinces as aforesaid.

It being nevertheless hereby declared, that no British subjects other than and except the said Governor and Company, and their successors, and the persons authorized to carry on exclusive trade by them, shall trade with the Indians during the period of this our grant within the limits aforesaid, or within that part thereof which shall not be comprised within any such colony or province as aforesaid.

Given at our Court at Buckingham Palace,
30th day of May, 1838.

By Her Majesty's Command,
(L. S.) (Signed) GLENELG.

No. 4.

COMMISSION APPOINTING HON. WM. MCDUGALL LIEUTENANT-GOVER-
NOR OF THE NORTH-WEST TERRITORIES, CANADA.

JOHN YOUNG.

VICTORIA, by the Grace of God of the United Kingdom of
Great Britain and Ireland QUEEN, Defender of the
Faith, &c.

To the Honorable William McDougall, of the City of Ottawa, in the
Province of Ontario, in Our Dominion of Canada, Member of Our
Privy Council for Canada, and Companion of Our Most Honorable
Order of the Bath,—GREETING :

WHEREAS by an Act of the Parliament of Canada, made and passed in
the Session held in the thirty-second and thirty-third years of Our reign,
and intituled :

“An Act for the Temporary Government of Rupert's Land and the
North-West Territory when united with Canada.” After reciting that it
is probable that We, pursuant to the British North America Act, 1867,
may be pleased to admit Rupert's Land and the North-West Territory
into the Union or Dominion of Canada before the then next session of
the Canadian Parliament, and further reciting that it is expedient to pre-
pare for the transfer of the said Territories from the Local Territories to
the Government of Canada at the time which may be appointed by Us for
such admission, and to make some temporary provision for the civil gov-
ernment of such Territories until more permanent arrangements can be
made by the Government and Legislature of Canada. It is by the said
Act now in recital in effect enacted that it shall be lawful for Our Gover-
nor, by any order or orders to be by him from time to time made with

the advice of the Privy Council and subject to such conditions and restrictions as to him shall seem meet, to authorize such officer as he may from time to time appoint as Lieutenant-Governor of the North-West Territories, to make provision for the administration of justice therein, and generally to make, ordain and establish all such laws, institutions and ordinances as may be necessary for the peace order and good government of Our subjects and others therein, and it also further enacted, that the Lieutenant-Governor shall administer the government under instructions given him from time to time by Order in Council.

And Whereas for the purpose of preparing for the transfer of the North-West Territories aforesaid to the Government of Canada, at the time which may be appointed by Us for such admission, and for making some temporary provision for the Civil Government of such Territories, We are desirous of appointing you, the said William McDougall, to be *Lieutenant Governor* of the *North-West Territories*.

Now know ye that We, reposing special trust and confidence in the prudence, courage, loyalty and integrity of you, the said William McDougall, of our especial grace, certain knowledge and mere motion, have thought fit to constitute and appoint you, on, from and after the day to be named by Us for the admission of Rupert's Land and the North-Western Territory into the Union or Dominion of Canada, to be, during Our pleasure, Lieutenant-Governor of the North-West Territories aforesaid, and We do hereby authorize and empower, and require and command you, on, from and after the day to be so named by Us for the admission of Rupert's Land and the North-Western Territory into the Union or Dominion of Canada as aforesaid, in due manner, to do and execute, in all things that shall belong to your said command, and the trust We have reposed in you, according to the several provisions and instructions, granted or appointed you by this Our Commission, and of the Act hereinbefore recited, according to such instructions as are herewith given to you, or which may from time to time be given to you in respect of the North-West Territories aforesaid, and the government thereof, by order of Our Governor-General in Council, under the sign manual of Our said Governor-General, or by Us through one of Our Privy Council of Canada, and according to such laws as are or shall be enforced within the North-West Territories.

In testimony whereof We have caused these Our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed: Witness, Our trusty and well-beloved the Right Honorable Sir John Young, Baronet, one of Our Most Honorable Privy Council, Knight Grand Cross of Our Most Honorable Order of the Bath, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor-General of Canada.

At Our Government House, in Our City of Ottawa, this Twenty-ninth day of September, in the year of Our Lord one thousand eight hundred and sixty-nine, and the thirty-third year of Our Reign.

By Command,

HECTOR L. LANGEVIN,

Secretary of State.

No. 5.

PROCLAMATION ISSUED BY HON. WM. McDOUGALL ON 1ST DECEMBER, 1869.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, etc., etc., etc.

WILLIAM McDOUGALL.

To all whom it may concern, GREETING :

PROCLAMATION.

WHEREAS, by " The British North America Act, 1867," it was (amongst other things) enacted, that it should be lawful for Her Majesty, by and with the advice of Her Majesty's Most Honorable Privy Council, on Address from the Houses of Parliament of Canada, to admit Rupert's Land and the North-Western Territory, or either of them, into the Union or Dominion of Canada, on such terms and conditions as are in the Address expressed, and as Her Majesty thinks fit to approve ;

And, whereas, for the purpose of carrying into effect the said provisions of " The British North America Act, 1867," " The Rupert's Land Act, 1868," enacted and declared that it should be competent for " the Governor and Company of Adventurers of England, trading into Hudson's Bay," to surrender to Her Majesty, and for Her Majesty, by any instrument under Her sign manual and signet, to accept a surrender of all or any of the lands, territories, powers, and authorities, whatsoever, granted, or purported to be granted, by certain Letters Patent of His late Majesty King Charles the Second, to the said Governor and Company within Rupert's Land, upon such terms and conditions as should be agreed upon, by and between Her Majesty and the said Governor and Company: And whereas, by " The Rupert's Land Act, 1868," it is further enacted, that from the date of the admission of Rupert's Land into the Dominion of Canada, as aforesaid, it shall be lawful for the Parliament of Canada to

make, ordain, and establish, within the said land and territory so admitted, as aforesaid, all such laws, institutions and ordinances, and to constitute such courts, and officers as may be necessary for the peace, order and good government of Her Majesty's subjects, and others therein.

And whereas, it is further provided by the said Act, that until otherwise enacted by the said Parliament of Canada, all the powers, authorities and jurisdiction of the several courts of justice now established in Rupert's Land, and of the several officers thereof and of all magistrates and justices, now acting within the said limits, shall continue in full force and effect therein; And whereas, the said Governor and Company have surrendered to Her Majesty, and Her Majesty has accepted a surrender of all the lands, territories, privileges, liberties, franchises, powers and authorities granted, or purported to be granted, by the said Letters Patent, upon certain terms and conditions agreed upon by and between Her Majesty and the said Governor and Company;

And whereas, Her Majesty, by and with the advice of Her Majesty's Most Honorable Privy Council, and an Address from both the Houses of the Parliament of Canada, in pursuance of the one hundred and forty-sixth section of "The British North America Act, 1867," hath declared that Rupert's Land and the North-Western Territory, shall, and from the first day of December, in the year of our Lord one thousand eight hundred and sixty-nine, be admitted into, and become part of the Dominion of Canada, upon the terms and conditions expressed in the said Address, of which Her Majesty has approved, and Rupert's Land, and the said North-Western Territory, are admitted into the Union, and have become part of the Dominion of Canada accordingly:

And whereas, the Parliament of Canada, by an Act intituled "An Act for the temporary Government of Rupert's Land and the North-Western Territory, when united with Canada," enacted that it should be lawful for the Governor, by any order or orders, to be by him, from time to time, made with the advice of the Privy Council (and subject to such conditions and restrictions as to him should seem meet), to authorize and empower such officer as he may, from time to time, appoint, as Lieutenant-Governor of the North-West Territories, to make provision for the administration of justice therein, and generally to make, ordain and establish all such laws, and institutions, and ordinances as may be necessary for the peace, order and good government of Her Majesty's subjects, and others therein. Now know ye, that we have seen fit, by our Royal Letters Patent, bearing date the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and sixty-nine, to appoint the Honorable William McDougall, of the City of Ottawa, in the Province of Ontario, in our Dominion of Canada, and member of Privy Council for Canada, and Companion of Our Most Honorable Order of the Bath, on,

March, therefore, Commissioner Smith went to see him, and, as a result of this visit, Judge Black consented to go as representative of the English-speaking population, a decision which was hailed with pleasure by the settlers.

On the 18th March, Commissioner Smith left Fort Garry on his return to Canada, and on the 23rd, the two delegates, Rev. Père Richot and Alfred H. Scott, took their departure for Ottawa, followed the next day by Judge Black, who was accompanied by Captain Bolton, the latter gentleman having been liberated from prison on the 16th. Each day now saw several of the prisoners released, until all were at liberty, and so far Riel kept his promise given to Commissioner Smith.

The following is the commission and letter of instructions handed to the delegates :

GOVERNMENT HOUSE,

WINNIPEG, Assiniboia.

To _____

SIR—The President of the Provisional Government of Assiniboia, (formerly Rupert's Land and the North-West), in council, do hereby authorize and delegate you to proceed to the City of Ottawa, and lay before the Dominion Government the accompanying list of propositions and conditions as the terms upon which the people of Assiniboia will consent to enter into Confederation with the other provinces of the Dominion. You will also herewith receive a letter of instructions, which will be your guide in the execution of this commission.

Signed this twenty-second day of March, in the year of our Lord one thousand eight hundred and seventy.

By order,

THOMAS BUNN,

Secretary of State.

LETTER OF INSTRUCTIONS.

SIR—Enclosed with this letter you will receive your commission and also a copy of the conditions and terms upon which the people of this country will consent to enter into the Confederation of Canada. You will please proceed with convenient speed to the City of Ottawa, Canada, and on arriving there you will, in company with the other delegates, put yourself immediately in communication with the Dominion Government, on the subject of your commission. You will please observe that with

District of Assiniboine, and have, with force and arms, arrested, and held as prisoners, numerous private and official persons, and preventing them from proceeding on their lawful journey and business, and have committed other acts of lawless violence, in contempt and defiance of the magistrates and local authorities ;

And, whereas, William Mactavish, Esq., Governor of Assiniboine, did, on the sixteenth day of November last, publish and make known to these armed men, and all others whom it might concern, that the lawless acts aforesaid, and which were particularly set forth in his Proclamation, were "contrary to the remonstrances and protests of the public authorities," and did therein protest against each and all of the said unlawful acts and intents, and charged and commanded the said armed persons to immediately disperse themselves, and peaceably to depart to their habitations or lawful business, under the pains and penalties of the law ;

And, whereas, since the issue of the said protest or Proclamation, certain of the armed men aforesaid, have taken possession of the public records and papers at Fort Garry, and have seized and held as prisoners the public officers, or persons having charge of the same, and, as I am creditably informed, still keep unlawful possession of the said records and public property, and with force and arms continue to obstruct public officers, and others, in the performance of their lawful duty and business, to the great terror, loss, and injury of Her Majesty's peaceful subjects, and in contempt of Her Royal authority ;

And, whereas, Her Majesty, by Letters Patent, under the Great Seal of the Dominion of Canada, bearing date the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and sixty-nine, has been graciously pleased to appoint me to be, from and after the first day of December instant, Lieutenant-Governor of the North-West Territories, and did authorize and command me to do and execute all things in due manner that should belong to my said command.

Know you, that reposing trust and confidence in your courage, loyalty, fidelity, discretion and ability, and under, and in virtue of the authority in me vested, I have nominated and appointed, and, by these presents, do nominate and appoint you, the said John Stoughton Dennis, to be my Lieutenant, and a Conservator of the Peace in and for the North-West Territories, and do hereby authorize and empower you as such to raise, organize, arm, equip, and provision a sufficient force within the said Territories, and, with the said force, to attack, arrest, disarm, or disperse the said armed men, so unlawfully assembled and disturbing the public peace, and for that purpose, and with the force aforesaid, to assault, fire upon, pull down, or break into any fort, house, stronghold, or other place in which the said armed men may be found ; and, I hereby authorize you, as such Lieutenant and Conservator of the Peace, to hire, purchase, im-

press, and take all necessary clothing, arms, ammunition, and supplies, and all cattle, horses, wagons, sleighs, or other vehicles, which may be required for the use of the force to be raised as aforesaid ; and I further authorize you to appoint as many officers and deputies under you, and to give them such orders and instructions, from time to time, as may be found necessary for the due performance of the services herein required of you, reporting to me the said appointments and orders, as you shall find opportunity, for confirmation or otherwise ; and I hereby give you full power and authority to call upon all magistrates and peace officers to aid and assist you, and to order all or any of the inhabitants of the North-West Territories, in the name of Her Majesty the Queen, to support and assist you in protecting the lives and properties of Her Majesty's loyal subjects, and in preserving the public peace, and, for that purpose, to seize, disperse, or overcome by force, the said armed men, and all others who may be found aiding or abetting them in their unlawful acts.

And the said persons so called upon in Her Majesty's name, are hereby ordered and enjoined, at their peril, to obey your orders and directions in that behalf ; and this shall be sufficient warrant for what you or they do in the premises, so long as this Commission remains in force.

Given under my hand and seal at arms, at Red River, in the said Territories, this the first day of December, in the year of our Lord one thousand eight hundred and sixty-nine, in the thirty-third year of Her Reign.

By Command,

WILLIAM McDOUGALL.

J. A. N. PROVENCHER.

Secretary.

No. 7.

PROCLAMATION ISSUED BY HON. WM. McDOUGALL ON 2ND DECEMBER, 1869.

THE NORTH-WEST TERRITORIES.

PROCLAMATION.

By His Excellency the Honorable William McDougall, a member of Her Majesty's Privy Council of Canada, and Companion of the Most Honorable Order of the Bath, Lieutenant-Governor of the North-West Territories, etc., etc., etc.

To all to whom these presents shall come. GREETING :

WHEREAS, Her Majesty the Queen, by Letters Patent under the Great Seal of the Dominion of Canada, bearing date the twenty-ninth day of

September, in the year of our Lord one thousand eight hundred and sixty-nine, in the thirty-third year of Her Majesty's reign, has been graciously pleased to constitute and appoint me on from and after the day to be named by Her Majesty for the admission of Rupert's Land and the North-West Territory into the Union or Dominion of Canada, to be Lieutenant-governor in and over the North-West Territories during Her Majesty's pleasure, and did thereby authorize and empower and require and command me, on, from and after the day aforesaid, to do and execute all things in a due manner that shall belong to my said command, and the trust reposed in me, according to the several powers and instructions granted or appointed me by that Her Majesty's Commission, and of the Act of Parliament passed in the thirty-second year of Her Majesty's reign, intituled "An Act for the Temporary Government of Rupert's Land, and the North-Western Territories, when united with Canada," and the instructions given me with such Commission, or by such further instructions as may hereafter be given me in respect of the North-West Territories, and the Government thereof, by Her Majesty's Governor-General in Council under his sign manual, or through one of Her Majesty's Privy Council of Canada, and according to such laws as are now and shall hereafter be in force in the said North-West Territories; and whereas Her Majesty has declared and named the first day of December instant as the day for the admission of Rupert's Land and the North-West Territory into the Union and Dominion of Canada; And whereas by virtue and in pursuance of "The British North America Act 1867," "The Rupert's Land Act 1868, the said 'Act for the Temporary Government of Rupert's Land and the North-Western Territory when united with Canada,' and the said Declaration and Order of Her Majesty, Rupert's Land and the North-West Territory have been admitted into union with, and have become, and are now part of the Dominion of Canada, and are henceforth to be styled and known as "The North West Territories "

Now Know Ye that I have thought fit to issue this Proclamation to make known Her Majesty's said appointment to all Officers, Magistrates, Subjects of Her Majesty's and others within the said "The North-West Territories," and I do hereby require and command that all and singular, the public officers and functionaries holding office in Rupert's Land, and the North-Western Territory at the time of their admission into the Union as aforesaid, excepting the public officer or functionary at the head of the Administration of affairs, do continue in the execution of their several and respective offices, duties, places, and employments, until otherwise ordered by me under the authority of the said last mentioned Act; And I do hereby further require and command that all Her Majesty's loving subjects, and all others whom it may concern, do take notice and govern themselves accordingly.

Given under my hand and Seal-at-Arms at Red River in the said Territories, this second day of December, in the year of our Lord one thousand eight hundred and sixty-nine, and in the Thirty-third year of Her Majesty's Reign.

By Command,

WM. McDOUGALL.

J. A. N. PROVENCHER,

Secretary.

No. 8.

PROCLAMATION OF SIR JOHN YOUNG, GOVERNOR-GENERAL OF CANADA,
ON 6TH DECEMBER, 1869.

PROCLAMATION.

By His Excellency the Right Honorable Sir John Young, Baronet, a Member of Her Majesty's Most Honorable Privy Council, Knight Grand Cross of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor-General of Canada.

To all and every the Loyal Subjects of Her Majesty the Queen, and to all to whom these Presents may come, GREETING :

The Queen has charged me, as Her Representative, to inform you that certain misguided persons in Her Settlement on the Red River, have banded themselves together to oppose by force the entry into Her North-Western Territories of the officer selected to administer, in Her name, the Government, when the Territories are united to the Dominion of Canada, under the authority of the late Act of the Parliament of the United Kingdom ; and that those parties have also forcibly, and with violence, prevented others of Her loyal subjects from ingress into the country.

Her Majesty feels assured that she may rely upon the loyalty of Her subjects in the North-West, and believes those men, who have thus illegally joined together, have done so from some misrepresentation,

The Queen is convinced that, in sanctioning the Union of the North-West Territories with Canada, she is promoting the best interests of the residents, and at the same time strengthening and consolidating Her North American possessions as part of the British Empire. You may judge then of the sorrow and displeasure with which the Queen reviews the unreasonable and lawless proceedings which have occurred.

Her Majesty commands me to state to you that she will always be ready, through me as Her representative, to redress all well-founded

grievances, and that she has instructed me to hear and consider any complaints that may be made, or desires that may be expressed to me as Governor-General. At the same time she has charged me to exercise all the powers and authority with which she has trusted me in the support of order, and the suppression of unlawful disturbances.

By Her Majesty's authority, I do therefore assure you, that on the union with Canada all your civil and religious rights and privileges will be respected, your properties secured to you, and that your country will be governed, as in the past, under British laws, and in the spirit of British justice.

I do, further, under Her authority, entreat and command those of you who are still assembled and banded together in defiance of law, peaceably to disperse and return to your homes, under the penalties of the law in case of disobedience.

And I do lastly inform you, that in case of your immediate and peaceable obedience and dispersion I shall order that no legal proceedings be taken against any parties implicated in these unfortunate breaches of the law.

Given under my Hand and Seal at Arms at Ottawa, this Sixth day of December, in the year of Our Lord One Thousand Eight Hundred and Sixty-nine, and in the Thirty-third year of Her Majesty's Reign.

(Seal.)

By Command,
JOHN YOUNG.

H. R. LANGEVIN,
Secretary of State.

No. 9.

COMMISSION ISSUED TO DONALD A. SMITH, ESQ., APPOINTING HIM SPECIAL COMMISSIONER.

CANADA.

VICTORIA, by the Grace of God, etc.

To Donald A. Smith, of the City of Montreal, in the Province of Quebec, and Dominion of Canada, Esquire, and to all others to whom the same may in any wise concern, GREETING :

Whereas, by an Act of the Parliament of Canada, passed in the thirty-second and thirty-third years of Our Reign, intituled, "An Act for the temporary Government of Rupert's Land and the North-West Territory, when united to Canada," it is recited that it is possible that we may be

pleased to admit Rupert's Land and the North-West Territory into the Union of the Dominion of Canada, before the then next session of the Canadian Parliament, and that it is expedient to prepare for the transfer of the said Territories from the Local Authorities to the Government of Canada, at the time appointed by us for the Civil Government of such Territories, until more permanent arrangements can be made by the Government and Legislature of Canada, and it is by the said Act in effect enacted that our Governor may authorize and empower such officer as he may appoint as Lieutenant-Governor of the North-West Territories, and who shall administer the Government as by the said Act contemplated.

And, whereas, in the preparation for the transfer of the said Territories, Our Governor of Canada was pleased to send the Honorable Wm. McDougall, the gentleman selected to be the Lieutenant-Governor as aforesaid, on its union with Canada, in advance and in anticipation of the union, and his entry into the said Territories was obstructed and prevented by certain armed parties who have declared their discontent and dissatisfaction at the proposed union, and their intention to resist the same by force.

And, whereas, it is expedient that enquiry should be had into the causes and extent of such obstruction, opposition, and discontent, as aforesaid.

Now know ye, that having confidence in your honesty, fidelity, and integrity, we do, by these presents, nominate, constitute and appoint you, the said Donald A. Smith, to be our Special Commissioner, to enquire into the causes, nature, and extent of the obstruction offered at the Red River, in the North-West Territories, to the peaceable ingress of the Honorable Wm. McDougall, and other parties authorized by our Governor-General of Canada to proceed into the same ; and also to enquire into the causes and discontent and dissatisfaction alleged to exist in respect to the proposed union of the said North-West Territories with the Dominion of Canada ; and further to explain to the inhabitants of the said country, the principles on which the Government of Canada intends to administer the Government of the Country, according to such instructions as may be given to you by our Governor in Council in this behalf ; and to take steps to remove any misapprehensions which may exist in respect to the mode of Government of the same, and to report to our Governor-General the result of such enquiries, and on the best mode of quieting and removing such discontent and dissatisfaction ; and also to report on the most proper and fitting mode for effecting the speedy transfer of the Country and Government from the authority of the Hudson's Bay Company to the Government of Canada, with the general assent of the inhabitants.

And further, to consider and report on the most advisable mode of dealing with the Indian Tribes in the North-West Territories.

APPENDIX.

To have and to hold the said office of Commissioner, for the purposes
resid unto you the said Donald A. Smith, during pleasure.

In testimony whereof, etc.

(GREAT SEAL.)

Note—The above Commission was not sent to Mr. Donald A. Smith
till 25th January, 1870, although it was given under the Great
Seal 17th December. Mr. Smith, however, acted on the
16th Dec. in fact a commission giving him
the best authority. He acted with the
best authority. He acted with the

No.

OF ASSINIBOIA, PASSED BY THE PRESIDENT AND LEGISLATIVE AS-
SEMBLY OF ASSINIBOIA ON THE 7TH DAY OF MAY, 1870.

(Second Session of the Legislature.)

(These laws come into operation on the 20th day of May, 1870; until
which time the laws under which the country has hitherto been governed
remain in full force. On and after the 20th day of May, 1870, all the old
laws are repealed.)

NOTE.—The following is merely a synopsis of the enactments passed, the de-
tails relating to which would occupy more space than can be spared:—

GENERAL PROVISIONS.

1. All fines and forfeitures when not otherwise appropriated shall go to the Public Fund.
2. Every enactment shall be interpreted without regard to the distinction of gender or number.
3. If any person encourage in any way any violation of any local enactment, he shall be held to be as guilty as the principal offender.
4. That unless special regulation provide to the contrary, every wrong has its remedy under the general law of the country.
5. That the law of England shall be the law of the land in relation to crimes and misdemeanors and generally as to all civil rights except where modified by the local law.

ADMINISTRATION OF JUSTICE.

1. That the Supreme Court of Assiniboia be held four times a year, February, May, August and November.

2. District Courts shall be held at such times and places as follows : Manitoba, March, September, December and June ; Portage la Prairie, 1st Tuesday each month ; White Horse Plain, 2nd Tuesday each month ; Fort Garry, 4th Tuesday each month ; St. Andrews, 3rd Tuesday each month.

3. The chairman of a District Court shall be a Justice of the Peace—the chairman and two magistrates to form a quorum.

4. The District Court shall take cognizance of all actions for not more than ten pounds, all offences with fines of not more than two pounds, and all liquor cases.

5. An appeal may be taken from the District to the Supreme Court.

6. District Court cases shall be tried in the district in which defendant resides.

7. Any District Magistrate shall issue summons for his own district. but not for any other, unless countersigned by the Magistrate where summons is to take effect.

8. District Court cases must not be brought before General Court.

9. In any Court, either party to a civil action may be made the other's witness.

10. Regulated the fees to be charged for writs issued in the Supreme and District Courts.

11. Witnesses and jurors to be paid five shillings per day.

12. In Supreme Court cases, a deposit of one pound from plaintiff necessary.

13. Allowances for feeding prisoners, and in cases of debt, the creditor to be responsible for same.

14. Fifteen days' notice in Supreme Court cases, and eight in the District Court.

15. Trial by jury in Supreme Court, except where both parties desire otherwise.

16. The Legislative Assembly to issue licenses to practise law and regulating fees.

17. Regulating seizure and sale of goods and chattels on judgment.

18. The right of *capias*.

19. In case of *capias*, the complainant, if afterwards found to have no ground for action, to be liable for damages.

20. Regulating seizure of the property of an absconding debtor.

21. Summonses for the General Court to be issued only by Justices of the Peace.

22. Magistrates and Justices of the Peace to have summary power in deciding cases not over three pounds, or damages of one pound.

23. No action for the recovery of debt to be brought before the August term of Supreme Court.

APPENDIX.

25. No judicial officer having any interest in a case to be able to sit as a Justice of the Peace.

26. Empowering the Coroner or any Justice of the Peace to execute writs on the Sheriff.

27. Any debt or crime incurred or committed outside jurisdiction of court, to be prosecuted when person is found within limits of jurisdiction.

28. Justices of the Peace, Magistrates and Constables, must be British subjects.

29. Summons not to be served on days or legal holidays.

30. The Supreme Court to be composed of a presiding Judge, and three more Justices of the Peace.

31. The Supreme Court to take cognizance of all cases not assigned to the District Court.

32. Any barrister, advocate, attorney or solicitor qualified to practise law in the United Kingdom or any British Colony to be entitled to practise in the courts of Red River.

33. Providing for Records of the Courts.

CUSTOMS DUTIES.

1. The duty to be 4 per cent ad valorem.

2. Free goods to be—bar iron, steel, books, publications, stationary, scientific instruments, agricultural implements, baggage, &c., for the present use of the owner, seeds, roots, plants, goods passing in bond cases, boxes, barrels, bottles or covering containing goods or fluids, monumental tablets or tombstones, grindstones, stoves, goods for missions, animals for breeding stock, mill and factory machinery.

3. Three custom houses, one each at Pembina, Portage la Prairie and Fort Garry.

4. A Collector of Customs to have power to administer oaths, and to search for and seize contraband goods.

5. Collector to pay the duties collected into the Treasury twice every month.

6. Collectors to be entitled to one fifth part of seizures.

7. Providing for attested invoices or manifests.

8. Collectors to verify accuracy of invoices by oath, if necessary, or examination of goods.

9. Collectors to provide clearance certificates.

10. Providing for want of invoices.

11. Goods without clearance certificate to be seized.

12. The owners or consignors of goods by way of Hudson's Bay to report quantity and prime cost within three months, under penalty of not more than £4,000 sterling.

13. All contraband goods seized to be sold by auction.

14. Two shillings a gallon to be the duty on wines and liquors imported.

CONSTABLES

To be not less than sixteen in number, Manitoba, 1 ; Portage la Prairie, 2 ; White Horse Plains, 3 ; St. Andrews, 3 ; Fort Garry, 5 ; Winnipeg, 2. Provision was then made for the Administration of Intestate Estates.

POSTAL.

General Post Office to be in Winnipeg. Mails to be carried at public expense. Charges for postage :—Letters under half ounce, one penny, and a penny for each additional half ounce. Magazines or Reviews, two pence. Newspapers, half penny, those from office of publication or exchanges to be free. Books, half pound and under, four pence. Local letters, one penny each. Local newspapers to subscribers free. Regulations for advertised letters. Branch offices to be at St. Andrews, Headingly, Portage la Prairie and St. Norbert.

Regulations were then made for the prevention of prairie fires, animals running at large, and for hay cutting privileges.

LIQUOR LAW.

Any person selling or supplying liquor to uncivilized Indians to be fined.

1. Two pounds for furnishing brewing utensils.
2. Three pounds for furnishing malt.
3. Five pounds for furnishing beer or any fermented liquor.
4. One hundred pounds for furnishing distilled spirits or any intoxicating drink other than fermented liquors.

In addition to above, the offender to make restitution to the Indian, and the intoxicated Indian to be imprisoned until he should disclose from whom he procured the liquor, and no person to carry liquor among Indians, unless in transit or for his own use.

5. No person to sell spirits, wine or beer, under five gallons, without a license.

The liquor not to be sold between the hours of 10 p.m., and 6 a.m., nor on Sundays, Good Friday or Christmas Day. It was forbidden to sell to intoxicated persons, and all manufacturing had to be confined to the premises covered by license.

Twelve of the nearest householders, irrespective of District, could by petition, prevent the granting of a license.

Wholesale liquor licenses cost ten pounds each, and were issued by the President of the Fort Garry District Court.

ROADS.

1. That all public roads to remain the width they had been laid out
2. No person to cut a hole into or through the river ice, unless protecting it by a fence four feet high, on penalty of one pound.

A Commissioner of Public Works to be appointed and held responsible for the state of the roads and bridges.

NOTE.—The laws framed by the Provisional Government, and which came in force on 20th May, 1870, were very much in line with the laws of Assiniboua, under the Hudson's Bay Company.

No. 11.

THE MANITOBA ACT.

ANNO TRICESIMO-TERTIO—VICTORIAE REGINAE.

An Act to establish and provide for the government of the Province of Manitoba.

WHEREAS, it is probable that Her Majesty the Queen may, pursuant to the British North America Act, 1867, be pleased to admit Rupert's Land and the North-Western Territory into the Union or Dominion of Canada before the next session of the Parliament of Canada. And whereas it is expedient to prepare for the transfer of the said Territories to the Government of Canada at the time appointed by the Queen for such admission. And whereas it is expedient also to provide for the organization of part of the said Territory as a Province, and for the establishment of a Government therefor, and to make provision for the Civil Government of the remaining part of the said Territories not included within the limits of the Province.

Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. On, from and after the day upon which the Queen, by and with the advice and consent of Her Majesty's Most Honorable Privy Council, under the authority of the 146th section of the British North America Act, 1867, shall by order in Council, in that behalf, admit Rupert's Land and the North-Western Territory into the Union or Dominion of Canada, there shall be formed out of the same a Province which shall be one of the Provinces of the Dominion of Canada, and which shall be called the Province of Manitoba, and be bounded as follows, that is to say, commencing at the point where the meridian of ninety-six degrees of west longitude from Greenwich intersects the parallel of forty-nine degrees

north latitude ; thence due west along the said parallel of forty-nine degrees north latitude (which forms a portion of the boundary line between the United States of America and the said North-Western Territory) to the meridian of ninety-nine degrees of west longitude ; then due north along the said meridian of ninety-nine degrees west longitude to the intersection of the same with the parallel of fifty degrees and thirty minutes north latitude ; thence due east along the said parallel of fifty degrees and thirty minutes north latitude to its intersection with the before mentioned meridian of ninety-six degrees west longitude ; thence due south along the said meridian of ninety six degrees west longitude to the place of beginning.

2. On, from and after the said day on which the Order of the Queen in Council shall take effect as aforesaid, the provisions of the British North America Act, 1867, shall, except those parts thereof which are in terms made, or by reasonable intendment may be held, to be specially applicable to, or only to effect, one or more, but not the whole of the Provinces now composing the Dominion, and except so far as the same may be varied by this Act, be applicable to the Province of Manitoba, in the same way, and to the like extent, as they apply to the several Provinces of Canada, and as if the Province of Manitoba had been one of the Provinces originally united by the said Act.

3. The said Province shall be represented in the Senate of Canada by two members until it shall have, according to decennial census, a population of fifty thousand souls ; and from thenceforth it shall be represented therein by three members, until it shall have, according to the decennial census, a population of seventy-five thousand souls, and from thenceforth it shall be represented therein by four members.

4. The said Province shall be represented in the first instance, in the House of Commons, by four members, and for that purpose shall be divided, by proclamation of the Governor-General, into four Electoral Districts, each of which shall be represented by one member : Provided that, on the completion of the census, in the year 1881, and of each decennial census afterwards, the representation of the said Province shall be re-adjusted according to the provisions of the fifty-first section of the British North America Act, 1867.

5. Until the Parliament of Canada otherwise provides, the qualification of voters at elections of members of the House of Commons shall be the same as for the Legislative Assembly hereinafter mentioned ; and no person shall be qualified to be elected, or to sit and vote as a member, for any Electoral District, unless he is a duly qualified voter within the said Province.

6. For the said Province there shall be an officer styled the Lieutenant-

Governor, appointed by the Governor-General in Council, by instrument under the Great Seal of Canada

7. The Executive Council of the Province shall be composed of such persons, and under such designations, as the Lieutenant-Governor shall from time to time think fit, and in the first instance of not more than five persons.

8. Unless and until the Executive Government of the Province otherwise directs the seat of Government of the same shall be at Fort Garry, or within one mile thereof.

9. There shall be a Legislature for the Province, consisting of the Lieutenant-Governor and of two Houses, styled respectively the Legislative Council of Manitoba, and the Legislative Assembly of Manitoba.

10. The Legislative Council shall in the first instance be composed of seven members, and after the expiration of four years from the time of the first appointment of such seven members, each member of the Legislative Council shall be appointed by the Lieutenant-Governor in the Queen's name by instrument under the Great Seal of Manitoba, and shall hold office for the term of his life unless and until the Legislature of Manitoba otherwise provides under the British North America Act, 1867.

11. The Lieutenant-Governor may from time to time by instrument under the Great Seal appoint a member of the Legislative Council to be Speaker thereof, and may remove him and appoint another in his stead.

12. Until the Legislature of the Province otherwise provides, the presence of a majority of the whole number of the Legislative Council including the Speaker, shall be necessary to constitute a meeting for the exercise of its powers.

13. Questions arising in the Legislative Council shall be decided by a majority of voices, and the Speaker shall in all cases have a vote; and when the voices are equal, the decision shall be deemed to be in the negative.

14. The Legislative Assembly shall be composed of twenty-four members to be elected to represent the electoral divisions into which the said Province may be divided by the Lieutenant-Governor as herei after mentioned.

15. The presence of a majority of the members of the Legislative Assembly shall be necessary to constitute a meeting of the House for the exercise of its powers, and for that purpose the Speaker shall be reckoned as a member.

16. The Lieutenant Governor shall (within six months of the date of the Order of Her Majesty in Council admitting Rupert's Land and the North-West Territory into the Union) by Proclamation under the Great Seal divide the said Province into twenty-four electoral divisions, due regard being had to existing local divisions and population.

17. Every male person shall be entitled to vote for a member to serve in the Legislative Assembly for any electoral division who is qualified as follows : That is to say if he is

1. Of the full age of twenty-one years, and not subject to any legal incapacity.

2. A Subject of Her Majesty by birth or naturalization.

3. And a *bona fide* householder within the electoral division at the date of the writ of election for the same, and has been a *bona fide* householder for one year next before the said date ; or

4. If being at the full age of twenty-one years, and not subject to any legal incapacity, and a subject of Her Majesty by birth or naturalization, he was at any time within twelve months prior to the passing of this Act, and (though in the interim temporarily absent) is at the time of such election a *bona fide* householder, and was resident within the electoral division at the date of the writ of election for the same.

But this fourth sub-section shall apply only to the first election to be held under this Act for members to serve in the Legislative Assembly aforesaid.

18. For the first election of members to serve in the Legislative Assembly, and until the Legislature of the Province otherwise provides, the Lieutenant-Governor shall cause writs to be issued by such person in such form, and addressed to such returning-officer as he thinks fit ; and for such first election, and until the Legislature of the Province otherwise provides, the Lieutenant-Governor shall by proclamation prescribe and declare the oaths to be taken by voters, the powers and duties of returning and deputy returning-officers, the proceedings to be observed at such election, and the period during which such election may be continued, and such other provisions in respect to such first election, as he may think fit.

19. Every Legislative Assembly shall continue for four years from the date of the return of the writs for returning the same (subject nevertheless to be sooner dissolved by the Lieutenant-Governor) and no longer, and the first session thereof shall be called at such time as the Lieutenant-Governor shall appoint.

20. There shall be a session of the Legislature once at least in every year, so that twelve months shall not intervene between the last sitting of the Legislature in one session, and its first sitting in the next session.

21. The following provisions of the British North America Act, 1867, respecting the House of Commons of Canada, shall extend and apply to the Legislative Assembly, that is to say : Provisions relating to the election of a Speaker originally and on vacancies ; the duties of the Speaker, the absence of the Speaker, and the mode of voting, as if those provisions were here re-enacted, and made applicable in terms to the Legislative Assembly.

22. In and for the Province, the said Legislature may exclusively make laws in relation to education, subject and according to the following provisions :

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools, which any class of persons have by law or practice in the Province at the Union.

2. An appeal shall lie to the Governor General-in Council from any Act or decision of the Legislature of the Province, or of any Provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.

3. In case any such Provincial Law, as from time to time seems to the Governor-General-in-Council requisite for the due execution of the provisions of this section is not made ; or in case any decision of the Governor General-in-Council, or any appeal under this section is not duly executed by the proper Provincial authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor-General-in-Council under this section.

23. Either the English or the French language may be used by any person in the debates of the Houses of the Legislature, and both those languages shall be used in the respective Records and Journals of those Houses, and either of those languages may be used by any person, or in pleading or process, or in issuing from any Court of Canada, established under the British North America Act, 1867, or in or from all or any of the Courts of the Province. The Acts of the Legislature shall be printed and published in both those languages.

24. Inasmuch as that the Province is not in debt, the said Province shall be entitled to be paid, and to receive from the Government of Canada by half-yearly payments in advance, interest at the rate of five per centum per annum, on the sum of four hundred and seventy-two thousand and ninety dollars.

25. The sum of thirty thousand dollars shall be paid yearly by Canada to the Province for the support of its Government and Legislature, and an annual grant in aid of the said Province shall be made, equal to eighty cents per head of the population estimated at seventeen thousand souls ; and such grant of eighty cents per head shall be augmented in proportion to the increase of population as may be shown by the census that shall be taken thereof in the year one thousand eight hundred and eighty-one, and by each subsequent decennial census, until its population amounts to four hundred thousand souls, at which amount such grant shall remain thereafter, and such sum shall be in full settlement of all future demands on Canada, and shall be paid half-yearly in advance to the said Province.

26. Canada will assume and defray the charge for the following services :—

1. Salary of the Lieutenant-Governor.
2. Salaries and allowances of the Judges of the Superior and District or County Courts.
3. Charges in respect of the Department of the Customs.
4. Postal Department.
5. Protection of Fisheries.
6. Militia.
7. Geological Survey.
8. The Penitentiary.
9. And such further charges as may be incident to and connected with the services, which, by the British North America Act, 1867, appertain to the General Government, and as are or may be allowed to other Provinces.

27. The Customs' duties, now by law chargeable in Rupert's Land, shall be continued, without increase, for the period of three years from and after the passing of this Act, and the proceeds of such duties shall form part of the Consolidated Revenue Fund of Canada.

28. Such provisions of the Customs' Laws of Canada (other than such as prescribe the rate of duties payable), as may be, from time to time, declared by the Governor-General in Council to apply to the Province of Manitoba, shall be applicable thereto, and in force therein accordingly.

29. Such provisions of the Laws of Canada, respecting the Inland Revenue, including those fixing the amount of duties, as may be, from time to time, declared by the Governor-General in Council applicable to the said Province, shall apply thereto, and be in force therein accordingly.

30. All ungranted or waste lands in the Province shall be, from and after the date of the said transfer, vested in the Crown, and administered by the Government of Canada for the purpose of the Dominion, subject to and except and so far as the same may be affected by the conditions and stipulations contained in the agreement for the surrender of Rupert's Land by the Hudson's Bay Company to Her Majesty.

31. And whereas it is expedient, towards the extinguishment of the Indian Title to the lands in the Province, to appropriate a portion of such ungranted lands to the extent of one million four hundred thousand acres thereof for the benefit of the families of the half-breed residents, it is hereby enacted that under regulations to be from time to time made by the Governor-General in Council, the Lieutenant-Governor shall select such lots or tracts in such parts of the Province as he may deem expedient to the extent aforesaid, and divide the same among the children of the half-breed heads of families residing in the province at the time of

the said transfer to Canada, and the same shall be granted to the said children respectively in such mode and on such conditions as to settlement and otherwise as the Governor-General in Council may from time to time determine.

32. For the quieting of titles and assuring to the settlers in the Province the peaceable possession of the lands now held by them, it is enacted as follows :

1. All grants of land in the freehold made by the Hudson's Bay Company up to the eighth day of March in the year 1869, shall, if required by the owner, be confirmed by grant from the Crown.

2. All grants of estates less than freehold in land made by the Hudson's Bay Company up to the eighth day of March aforesaid, shall, if required by the owner, be converted into an estate in freehold by grant from the Crown.

3. All titles by occupancy with the sanction and under the license and authority of the Hudson's Bay Company, up to the eighth day of March aforesaid, of land in that part of the Province in which the Indian title has been extinguished, shall, if required by the owner, be converted into an estate in freehold by grant from the Crown.

4. All persons in peaceable possession of tracts of land at the time of the said transfer to Canada, in those parts of the Province in which Indian title has not been extinguished, shall have the right of pre-emption of the same on such terms and conditions as may be determined by the Governor-in-Council.

5. The Lieutenant-Governor is hereby authorized, under regulations to be made from time to time by the Governor-General-in Council, to make all such provisions for ascertaining and adjusting on fair and equitable terms the rights of common and rights of cutting hay held and enjoyed by the settlers in the Province, and for the commutation of the same by grants of land from the Crown.

33. The Governor-General-in-Council shall from time to time settle and appoint the mode and form of grants of land from the Crown, and any Order-in-Council for that purpose, when published in the "*Canada Gazette*," shall have the same force and effect as if it were a portion of this Act.

34. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company, as contained in the conditions under which that Company surrendered Rupert's Land to Her Majesty.

35. And with respect to such portion of Rupert's Land and the North-West Territory as is not included in the Province of Manitoba, it is hereby enacted that the Lieutenant Governor of the said Province shall be appointed by commission under the Great Seal of Canada to be Lieutenant-Governor of the same under the name of the North-West Territories, and subject to the provisions of the act in the next section mentioned.

36. Except as hereinbefore is enacted and provided, the Act of the Parliament of Canada passed in the now last session thereof intituled "An Act for the temporary government of Rupert's Land and North-Western Territory when united with Canada," is hereby re-enacted, extended and continued in force until the 1st day of January, 1871, and until the end of the session of Parliament then next succeeding.

NOTE.—A List of Books of Reference, and a Chronological Table of events connected with the History of the North-West, will be found in Volume III.



those brought into the settlement shortly after by the Rev. Mr. Thibault and Colonel de Salaberry.

"The state of matters at this time, in and around Fort Garry, was most unsatisfactory, and truly humiliating. Upwards of sixty British subjects were held in close confinement as "political prisoners;" security for persons or property, there was none, the fort, with its large supplies of ammunition, provisions, and stores of all kinds, was in the possession of a few hundred French half-breeds, whose leaders had declared their determination to use every effort for the purpose of annexing the Territory to the United States: and the Governor and Council of Assiniboia were powerless to enforce the law.

"On the 6th January, I saw Mr. Riel, and soon came to the conclusion that no good could arise from entering into any negotiations with his "Council," even were we to admit their authority, which I was not prepared to do. We learnt that on the 13th, the Grand-Vicar Thibault and Colonel de Salaberry appeared before the "President and Council of the People," when some explanations and compliments were exchanged, after which the Very Rev. gentleman and his associate were politely bowed out and lost sight of.

"Meantime we had frequent visits in the Fort from some of the most influential and most reliable men in the settlement who gladly made known to the people generally the liberal intentions of the Canadian Government, and, in consequence, one after another of Riel's councillors seceded from him, and being joined by their friends, and by many of their compatriots and co-religionists, who had throughout held aloof from the insurgents, they determined no longer to submit to his dictation. This change evidently had a marked effect on Riel causing him to alter his tactics and to profess a desire for an



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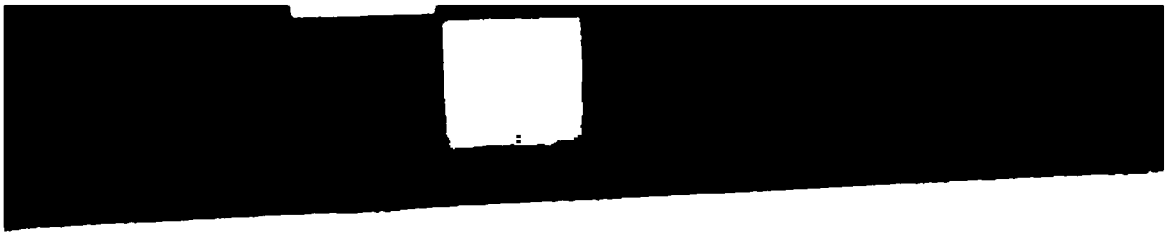
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demanded a written order for the delivery of my Official Papers, which I again peremptorily refused to give.

"The well-affected French party became aware of what had happened, and, not believing in Riel's good faith, determined to prevent the papers from falling into his hands. They got together some sixty or eighty men, who met my friend on his way back and were escorting him, when on the 18th, about ten miles from the Fort, they were accosted by Riel and some of his party, and by the Rev. Mr. Ritchot. An altercation took place, Riel attempted to use his pistol, saying, 'He would not be taken alive in his own country,' on which a revolver was levelled at his head, and Mr. Ritchot, having interposed, he was unceremoniously told to stand aside and 'not to interfere any further with matters unconnected with his spiritual duties.' It may be well to note that all those who took part in this affair were Catholics, and, with one or two exceptions, French half-breeds. Nothing more serious happened at this time, and the party proceeded together to Fort Garry, where they arrived in the forenoon. A few minutes before they entered the house, the Very Rev. Mr. Thibault, Père Lestanc and Colonel De Salaberry, called upon me and, with the exception of my guard, they were the first individuals with whom I was permitted to converse since the 14th. They appeared to be much concerned, and said it was currently reported I had been endeavoring to incite the different parties to hostile collisions. I repudiated any such charge, explaining that I had acted only in the cause of peace and order, and with the desire of making the people, both French and English, fully acquainted with the liberal views of the Canadian Government, so that a peaceful transfer of the territory might be effected, adding that I was pleased to think



ing day would bring with it complete success to the cause of Canada.

"Late that night, Père Lestanc paid them another visit, which was prolonged for several hours beyond midnight, and next morning it was found that a majority of those who had seceded from Riel, were again on friendly terms with him. The hour for the meeting having arrived, upwards of a thousand people attended, and deeming it of great importance that the explanations to be made on behalf of the Canadian Government should be faithfully rendered to the French-speaking portion of the settlers, whose leaders had studiously withheld from them all knowledge of the true state of matters in connection with the proposed transfer of the country, I requested Colonel De Salaberry to act as interpreter, but the Colonel, diffident of his own ability as a translator, proposed Mr. Riel as interpreter, and the latter was appointed accordingly.

"At this meeting, and that held the following day, the reading of the Commission, the Queen's Letter, and every other document, was contested with much obstinacy, but ultimately carried: and threats were used to myself in the presence and hearing of the Chairman, of the Secretary, Judge Black, and others, more especially by Mr. Riel and Rev. Mr. Lestanc. At the commencement of the meeting, I requested the Chairman and those near him to begin by insisting that all arms should be laid down, and that the flag then flying (*fleur de lis* and *shamrock*), should be replaced by the British ensign: this they thought, would come better at an after-stage: but the opportunity of doing so, now lost, never recurred.

"As is generally known, the result of the meeting was the appointment of forty delegates, twenty from either side, to meet on 25th January, 'With the object of considering the



by his party in December last, I declined to do so, thinking it better that the present Convention should place in my hands a paper stating their wishes, to which I should 'be happy to give such assurances as I believed would be in accordance with the views of the Canadian Government.' The Convention then set about the task of preparing a 'List of Rights,' embodying the conditions on which they would be willing to enter the confederation. While the discussion regarding this list was going on, Mr. Riel called on me, and asked if the Canadian Government would consent to receive them as a province. My reply was, that I could not speak with any degree of certainty on the subject, as it had not been referred to when I was at Ottawa, the intention then being that the North-West should, in the first instance, be incorporated under the Dominion as a territory; but I added that no doubt it would become a province within two or three years. On this, Mr. Riel, with much emphasis, exclaimed, 'then the Hudson's Bay Company is not safe yet,' to which I answered, 'Mr. Riel, that cannot influence me in the slightest degree, and I am quite prepared to act as may be required of me in my capacity as Canadian Commissioner.' This was on the evening of the 3rd of February; on the following day, the proposition to enter as a province was negatived by the Convention, and on the 5th. another motion directed against the Hudson's Bay Company, also failed; the language used by Mr. Riel on the latter occasion, having been violent in the extreme. The same evening, Riel proceeded to Governor Mactavish, who had been dangerously ill for many weeks back, and was then barely able to sit up, placed a guard over him, and heaping reproaches and insult on him, declared that he would have him shot before midnight. Riel then sought out Dr. Cowan, the officer in im-

mediate charge of Red River District, upbraided him for his persistent opposition to 'the people,' the insurgents, and declaring that his name would go down with infamy to posterity, for the part he had taken, demanded that he would immediately swear allegiance to the Provisional Government, or prepare for death within three hours, giving him a quarter of an hour for consideration. The Doctor immediately replied that he knew no legal authority in the country but that of Great Britain, to which his allegiance was due, and that he would not take the oath required of him. He was then seized and put in confinement. along with the prisoners taken in December last. I was also put under strict guard, but not removed from the house. Notwithstanding this, and the painful doubt created in the minds of the English members of the Convention, as to the course they should pursue, after these arrests, the delegates again met on the 7th. On the 5th, they had resolved to place in my hands, the List of Rights they had drawn up, which was done at 11 o'clock, on the 7th, with an intimation that the Convention would be glad to meet me at 1 o'clock p.m., the intervening two hours being allowed me to frame my answers. In drawing up these, I was allowed no reference to any document, either written or printed, except the List of Rights, and a guard stood over me to see that I should write nothing else than that to be presented to the Convention. I had just finished writing, when Mr. Riel and his 'Adjutant-General' Lépine, who was also a member of the Convention, came in, and Riel, looking at the latter in a significant manner, said, 'The answers to the List of Rights, must be simply yes or no.' On this, I remarked that I thought otherwise, and would act as circumstances might appear to me to require. I then retired, and on returning to

the room a few minutes later, found there Mr. Riel, the Rev. Mr. Thibault, and Colonel De Salaberry. We proceeded together to the Convention, and in course of conversation, Col. De Salaberry said, he would gladly have come to see me before, but could not, as he had been a prisoner throughout.

"The proceedings of the Convention, as reported in the *New Nation* newspaper of the 11th and 18th February, copies of which I have had the honor of addressing to you, are sufficiently exact, and render it unnecessary for me here to enter into details. Suffice it to say, that a large majority of the delegates expressed entire satisfaction with the answers to their List of Rights, and professed confidence in the Canadian Government, to which I invited them to send delegates, with the view of effecting a speedy transfer of the territory to the Dominion, an invitation received with acclamation, and unanimously accepted, as will appear by resolution hereto annexed, along with the List of Rights, and my answer to the same. The delegates named were John Black, Esq., Recorder; the Rev. Mr. Richot, and Mr. Alfred H. Scott, a good deal of opposition having been offered to the election of the last-named of the three.

"The proceedings of the Convention came to a close on the 10th February, by the nomination of a Provisional Government, in the formation of which several delegates declined to take any part. Governor Mactavish, Dr. Cowan, and two or three other persons, were then released, and the Hudson's Bay Company's officers again allowed to come and go at pleasure, but I was still confined to the fort. Riel, as he expressly stated to Judge Black, being apprehensive of my influence with the people in the approaching election. Riel promised that all the prisoners should soon be released. On the 11th

and 12th, six or eight of them were set at liberty, and Dr. Cowan was informed in my presence, that as they were all to be discharged without delay, the rooms they had occupied would be placed at his disposal in a day or two: Riel remarking at the same time that he would have them thoroughly cleaned out.

“Rumors now began to circulate of a rising at the Portage, and, on the nights of the 14th and 15th of February, some eighty or one hundred men from that district passed down close to Fort Garry, and proceeded to Kildonan, where they were joined by from 300 to 350 men, principally English half-breeds from the lower parts of the settlement. Had these men, properly armed and organized, been prepared to support the well-affected French party, when the latter took action about the middle of January, or even in the beginning of February, during the sitting of the Convention, order might have been restored, and the transfer to Canada provided for without the necessity of firing a single shot: but now, the rising was not only rash, but purposeless, as, without its intervention, the prisoners would unquestionably have been released. The party was entirely unorganized, indifferently armed, unprovided with food, even for one meal, and wholly incapable of coping with the French, now re-united, who, to the number of at least 700, were prepared to offer the most determined resistance, which, as they were in possession of a number of guns (six and three-pounders), ample stores of ammunition, provisions, and every other requisite, they could have done most effectually. My sympathies were, in a great measure, with the Portage men, whom I believe to have been actuated by the best of motives, but, under the circumstances, it was not difficult to foresee that the issue could not be otherwise than disastrous to their cause. The attempt was there-

fore to be deplored, as it resulted in placing the whole settlement at the feet of Riel. The great majority of settlers, English and Scotch, discountenanced the movement, and bitterly complained of those who had set it on foot. Forty-seven of the party were captured on their way home, while passing within a few hundred yards of the fort, the explanation I have heard given for their otherwise inexplicable conduct in having taken this route, instead of making a *détour* which would have ensured safety, being a supposed promise by Riel that they would be permitted to pass unmolested. Their messenger a young man named McLean, on being questioned by Archdeacon McLean and myself, in presence of the Rev Mr. Gardner, and one or two other gentlemen, admitted that Riel, on being asked 'if the party would be permitted to pass,' was silent, and only, on being informed that they intended next day to use the route just outside the town, remarked 'Ah! that is good,' and for his purpose it no doubt was so. Captain Bolton led the party, and he and his friends at the Portage assured me that he exerted himself to the utmost to keep them from rising, and only joined them at the last moment, when he saw they were determined to go forward. He was captured on the 17th, tried by 'court martial,' and condemned to be shot at noon on the following day, but at the intercession of the Lord Bishop of Rupert's Land, Archdeacon McLean, and, in short, every influential man among the English, and, I have been told also, at the earnest entreaty of the Catholic clergy, the execution was delayed till midnight of Saturday, the 19th. Further than this, Riel declared he could not, would not, yield, except, indeed, Dr. Schultz should be captured in the meantime, in which case he would be shot instead of Bolton. Archdeacon McLean had been in close attendance

Captain Bolton for twenty-four hours, had administered him the Sacrament, received his last commands, and had promised to be present with him at the last moment, and when I met the Archdeacon on my way to see Riel, about 8 o'clock in the evening of the 19th, he was deeply affected, and had given up all hope. I found with Riel Mr. H. N. Robinson, of the *New Nation* newspaper, and shortly afterwards, Mr. James Ross, 'Chief Justice,' entered, followed in a few minutes by Mr. Bannatyne, postmaster, who had been ordered to bring the key of the mail bag, which Riel opened, and examining the letters, perused and retained one or more. Mr. Ross asked for Bolton, but was repulsed in the most contemptuous manner. I had already been speaking to Riel on the subject, when interrupted by Mr. Ross's entrance, and now resumed the conversation. Riel was obdurate, and said that the English settlers and Canadians, but more especially the latter, laughed at and despised the French half-breeds, believing that they would not dare to take the life of any one, and that, under these circumstances, it would be impossible to have peace, and establish order in the country: an example must, therefore, be made, and he had firmly resolved that Bolton's execution should be carried out, bitterly as he deplored the necessity for doing so. I reasoned with him long and earnestly, until at length, about 10 o'clock, he yielded, and addressing me, apparently with much feeling, said: 'Hitherto I have been deaf to all entreaties, and, in now granting you a man's life,' or words to that effect, 'may I ask you a favor?' 'Anything,' I replied, 'that in honor I can do.' He continued: 'Canada has disunited us: will you use your influence to unite us? You can do so, and without this, it must be war—bloody civil war!' I answered that, as I had

on first coming to the country, I would now repeat, that 'I would give my whole heart to effect a peaceable union of the country with Canada.'

" 'We want only our just rights as British subjects,' he said, 'and we want the English to join us, simply to obtain these.' 'Then,' I remarked, 'I shall at once see them and induce them to go on with the election of delegates for that purpose,' and he replied, 'if you can do this, war will be avoided, not only the lives, but the liberty of all the prisoners will be secured, for on your success depend the lives of all the Canadians in the country.' He immediately proceeded to the prison, and intimated to Archdeacon McLean that he had been induced by me to spare Captain Bolton's life, and had further promised to me, that immediately on the meeting of the council shortly to be elected, the whole of the prisoners should be released, requesting the Archdeacon, at the same time, to explain these circumstances to Captain Bolton and the other prisoners. The moment was a fearful one for the settlement, every man's life was in the hands of Riel, and, fully appreciating the significance of this, the Bishop of Rupert's Land, and the Protestant clergy, generally, now earnestly counselled the people to elect their delegates without loss of time, as by this means they might to some extent control the course of events, while otherwise they were utterly powerless. I entirely concurred in this view of the case, and Archdeacon McLean having kindly offered to accompany me, we visited the different parts of the settlement, and found that in several parishes the people, and those the most loyal to the British Crown, and most desirous for union with Canada, had already chosen their councillors. I explained to all, that the council was to be provisional, in the strictest sense of the word, intended expressly for effecting the

transference of the country to Canada, and for ensuring safety of life and property in the meantime. In some instances, I found they had drawn up petitions to Mr. Riel a 'President,' expressing submission, etc., these I requested them to destroy, advising that nothing more should be done than under the circumstances was absolutely necessary, namely, that having made their election, you should simply intimate the fact in formal terms to Mr. Bunn, who had been named Secretary of the Council, and not to Mr. Riel. The elections in the English parishes having taken place on the 26th February, I again saw Riel, who re-assured me, that all the prisoners would be released within a day or two after the first meeting of the council. On the 28th, he again sent for me, and in presence of Mr. Fraser, delegate from the Scotch parish, Kildonan, repeated his promise, that the lives of the prisoners were secured, and that their release would shortly follow.

" I had no further communication with Riel until Monday, the 4th March, when about 10 o'clock in the morning Père Lestanc called on me. He informed me of Bishop Taché's expected arrival, not later certainly than the 8th, and probably some days earlier, adding that his Lordship had telegraphed to request that, if about to leave for Canada, I should defer my departure till he could communicate personally with me. He then said that the 'conduct of the prisoners was very unsatisfactory, that they were very unruly, insolent to the 'soldiers,' and their behaviour altogether so very bad that he was afraid the guards might be forced to retaliate in self-defence. I expressed much surprise at the information he gave, as the prisoners, without exception, had promised to Archdeacon McLean and myself, that seeing their helpless condition, they would endeavour to act so as to avoid giving offence to their guards, and

we encouraged them to look forward to be speedily released in fulfilment of the promise made by Mr. Riel. One man, Parker, was mentioned as having made himself particularly obnoxious by his violent conduct, but not one word was said on this occasion regarding Scott, or the slightest intimation given that he or any other person had been condemned to be shot. About 11 o'clock, Père Lestanc left me and went up stairs to communicate to Governor Mactavish, as he said, 'the good news that Bishop Taché was expected so soon.' The Reverend Mr. Young, Methodist clergyman, had just entered the house, and meeting the Père in the hall, conversed with him a few minutes. Mr. Young then came up to me, and from him I had the first intimation that it was intended to shoot Thomas Scott, and that the sentence was to be carried into effect at 12 o'clock noon, that day. We agreed in believing that the thing was too monstrous to be possible, and Mr. Young mentioned that poor Scott himself was equally incredulous on the subject, thinking they merely intended to frighten him. However, even to keep him in suspense was of itself a horrible cruelty and it was arranged that, as Mr. Young had been sent for to attend the man, he should see Riel, ascertain exactly how the matter stood, and, if really serious, to let me know at once. Mr. Young accordingly called on Riel, was informed that Scott had been condemned, that the sentence was irrevocable, and would not be delayed one minute beyond noon. Mr. Young begged for delay, saying, 'the man is not prepared to die,' but all without avail. He was paralyzed with horror, returned to the prisoner, and immediately sent a messenger to inform me of the result of his visit. I determined to find out Riel immediately, but recollecting that Père Lestanc was still upstairs with Mr. Mactavish, went to him, related what I had heard

and asked him if he knew anything about the matter. His answer I cannot give in precise words, but it was to the effect that they had seen Mr. Riel on the other side (St. Boniface), and had all spoken to him about it, by which I understood that they had interceded for Scott. Governor Mactavish was greatly shocked on being informed of Riel's purpose, and joined in reprobating it. Père Lestanc consented to accompany me, and we called on Riel. When we entered, he asked me 'what news from Canada.' The mail had arrived the preceding day, and I replied, 'only the intelligence that Bishop Taché will be here very soon.' I then mentioned what I had heard regarding Scott, and before Riel answered, Père Lestanc interposed in French words, meaning, 'Is there no way of escape?' Riel replied to him, 'My Reverend Père, you know exactly how the matter stands,' 'then turning to me, he said, 'I will explain to you,' speaking at first in English, but shortly after using the French, remarking to me, 'you understand that language.' He said in substance that Scott had throughout been a most troublesome character, had been the ringleader in a rising against Mr. Snow, who had in charge of the party employed by the Canadian Government during the preceding summer in road-making; that he had risen against the 'Provisional Government' in December last, that his life was then spared; that he escaped, had again been taken in arms, and once more pardoned,—referring, no doubt, to the promise he had made to me that the lives and liberty of all the prisoners was secured—but that he was incorrigible, and quite incapable of appreciating the clemency with which he had been treated; that he was rough and abusive to the guards, and insulting to him, Mr. Riel; that his example had been productive of the very worst effects on the other prison-

ers, who had become insubordinate to such an extent that it was difficult to withhold the guards from retaliating. He further said, 'I sat down with Scott, as we are doing now, and asked him truthfully to tell me, as I would not use his statement against him, what he and the Portage party intended to have done with me, had they succeeded in capturing me, when they surrounded Couture's house,' to which he replied, 'We intended to keep you as a hostage for the safety of the prisoners.' I argued with Riel, and endeavored to show that some of the circumstances he had mentioned, and especially the last, were very strong reasons to urge why Scott's life should not be sacrificed, and that, if, as he represented, Scott was a rash, thoughtless man, whom none cared to have anything to do with, no evil need be apprehended from his example. I pointed out that the one great merit claimed for the insurrection was that, so far, it had been bloodless, except in one sad instance, which all were willing to look upon as an accident, and implored him not now to stain it, to burden it with what would be considered a horrible crime. He exclaimed, 'We must make Canada respect us!' I replied, 'She has every proper respect for the people of Red River, and this is shown in her having sent Commissioners to treat with them.' I told him I had seen the prisoners some time back, when they commissioned me to say to their friends at Portage that they desired peace, and I offered to go to them again and reason with them, should that be necessary. On this he said, 'Look here, Mr. Smith, Mr. Scott, the representative, went to see the prisoners at my desire, and on asking them whom they would vote for as councillors, if they were permitted a choice outside of their own body?' Thos. Scott came forward and said, 'My boys have nothing to do with those Americans.' And when





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Lord Wolseley.

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I remarked, 'This is really a most trifling affair, and ought not to have been repeated,' he said, 'Do not attempt to prejudice us against the Americans, for although we have not been with them, they are with us, and have been better friends to us than the Canadians.' Much more was said on both sides, but argument, entreaty, and protest alike failed to draw him from his purpose, and he closed by saying, 'I have done three good things since I have commenced, I have spared Bolton's life at your instance, and I do not regret it, for he is a fine fellow : I pardoned Gaddy, and he showed his gratitude by escaping out of the bastion, but I don't grudge him his miserable life, and now I shall shoot Scott.' Lèpine, the Adjutant-General, who was President of the Council of Seven, which tried Scott,—and five of whom, Riel told me, 'with tears streaming from their eyes, condemned him as worthy of death,' a sentence which he had confirmed—now entered, and, in answer to Riel, said, 'he must die,' Riel then requested the Rev. Père Lestanc to put the people on their knees for prayer, as it might do good to the condemned man's soul. Referring to Père Lestanc, and making a final appeal unnecessary here to repeat, I retired. It was now within a few minutes of one o'clock, and on entering the Governor's house, Rev. Mr. Young joined me, and said, 'It is now considerably past the hour, I trust you have succeeded.' 'No,' I said, 'for God's sake go back at once to the poor man, for I fear the worst.' He left immediately, and a few minutes after he entered the room in which the prisoner was confined : some guards marched in and told Scott his hour was come. Not until then did the reality of his position flash upon poor Scott. He said good-bye to the other prisoners, was led outside the gate of the fort, with a white handkerchief covering his head : his coffin, having a piece of white cot-

HISTORY OF THE NORTH-WEST.

thrown over it, was carried out; his eyes were bandaged. He continued in prayer, in which he had been engaged on the way, for a few minutes: he asked Mr. Young how he should position himself, whether standing or kneeling, then knelt in the snow, said farewell, and immediately fell back, pierced by three bullets which had passed through his body. The firing party consisted of six men, all of whom, it is said, were more or less intoxicated. It has been further stated that only three of the muskets were loaded with ball cartridge, and that one man did not discharge his piece. Mr. Young turned aside when the first shots were fired, then went back to the body and again retired for a moment, while a man discharged his revolver at the sufferer, the ball, it is said, entering the eye and passing round the head.

"The wounded man groaned between the time of receiving the musket shots and the discharge of the revolver. Mr. Young asked to have the remains for interment in the burying ground of the Presbyterian Church, but this was not acceded to, and a similar request, preferred by the Bishop of Rupert's Land, was also refused. He was buried within the walls of the fort. On descending the steps, leading from the prison, poor Scott, addressing Mr. Young, said, 'This is a cold-blooded murder,' then engaged in prayer, and was so occupied until he was shot.

"After this date I held no communication whatsoever with Riel, except in reference to getting away from the country, which I was not allowed to leave without a pass. I felt that under the circumstances it was not desirable I should remain longer at Red River, but it was not until late in the night of the 18th inst., Riel gave permission for my departure. Although not accomplishing all that could have been desired,

the mission to Red River, as I shall endeavor to show in a few words, has been productive of some good, and that it was not entirely successful, may fairly be attributed to the circumstances above referred to, in connection with the action taken, and meetings held in January last. Success, although in a lesser degree, might also have been gained at a later period but for the rising in February, which, though rash and productive of results the most unfortunate, I can hardly blame, knowing, as already stated, that those who took part in it were actuated and impelled by generous motives.

“ On reaching Red River, in December last, I found the English-speaking portion of the inhabitants greatly divided in opinion as to the comparative advantages of union with Canada, and the formation of a Crown Colony, while a few, a very small number, favored annexation to the United States. The explanations offered on the part of Canada they received as satisfactory, and, with hardly a dissentient voice, they would now vote for the immediate transfer to the Dominion. They earnestly requested me to assure His Excellency the Governor-General of their warm loyalty to the British Crown.

“ The case is difficult as regards the French half-breeds. A not inconsiderable number of them remained true to their allegiance during all the troubles through which they have had to pass, and with these will now be found associated many others whose minds had for a time been poisoned by gross misrepresentations made by designing men for their own selfish ends. A knowledge of the true state of the case, and of the advantages they would derive from union with Canada, had been carefully kept from them, and they were told to judge of Canadians generally by the acts and bearing of some of the less reflective immigrants, who had denounced them as ‘cumberers

of the ground,' who must speedily make way for the 'superior race' about to pour in upon them.

"It is also too true that in the unauthorised proceedings of some of the recent Canadian arrivals, some plausible ground had been given for the feeling of jealousy and alarm with which the contemplated change of government was regarded by the native population. In various localities these adventurers had been industriously marking off for themselves considerable, and in some cases very extensive and exceptionally valuable, tracts of land, thereby impressing the minds of the people with the belief that the time had come when, in their own country, they were to be entirely supplanted by the stranger, a belief, however, which I have no doubt might have been completely precluded by the prevention of all such operations until Canada had fully unfolded her policy, and shown the groundlessness of these fears.

"Let us further bear in mind that many of the Catholic clergymen in the country are not French Canadians, but Frenchmen, and consequently, it may be presumed, not very conversant with British laws and institutions, and with the liberty and privileges enjoyed under them. Warmly attached to their flocks, they deemed it necessary to exact some guarantee that in their new political condition they would not be treated with injustice. It is unnecessary here to point out how the breach widened, until at length it attained a magnitude and significance little dreamt of in the commencement, even by those who joined most heartily in the movement. It is far more pleasing to be able to state, which I do with much confidence, that a large majority of the French party have no misgivings as to union with Canada, and that joined by and under the guidance of his Lordship, Bishop Taché, and other members of the clergy who enjoy their confidence,

they will very shortly prove themselves to be staunch supporters of the Dominion, firm in their allegiance to England.

“ In course of the Insurrection, one deplorable crime, and many grossly illegal acts, have unquestionably been committed, but it would be alike unpolitic and unjust to charge them on the French population generally.

“ Much obloquy has been heaped on the Hudson's Bay Company and their Governor and officers in the North-West, which I consider it unnecessary at this moment even to attempt to answer or refute, although not doubting that both could be readily and satisfactorily done. Errors, many and grave, have, it cannot be denied, been committed on all sides, but wilful and intentional neglect of duty cannot, I feel convinced, be laid to the charge either of the Hudson's Bay Company or their representatives in the country. Personally, I have been entirely unconnected with the administration of affairs in that department.

“ I would respectfully submit that it is of the utmost importance there should be a strong military force in the North-West as early as practicable. The minds of the Indians, especially the tribes in the Saskatchewan country, have been so perplexed and confused by the occurrences of the past six months, that it would be very unsafe to trust to their forbearance ; and, indeed, until the question of Indian claims has been finally settled, it would not, in my opinion, be prudent to leave the country unprotected by military. The adjustment of those claims will require early attention, and some memoranda and evidence in my hands on the subject, I shall, if desired, be prepared to lay before the Government.

“ I have the honor to be, Sir,

“ Your obedient servant,

“ DONALD A. SMITH.”

Services so valuable and of such importance to the Dominion, should have been recognized without delay, but it was not until February, 1872, two years after they were rendered, that Mr. Donald A. Smith received any official recognition of the great and loyal work performed by him. On the 22nd February, 1872, the following letter was received by him from the Secretary of State, Hon. Joseph Howe :—

OTTAWA, 22nd February, 1872.

Donald A. Smith, Esq., M.P.,

Fort Garry.

SIR—The events which led to your appointment in December, 1869, as a Special Commissioner to the North-West, are now matter of history. But the Governor-General feels that the important services which in that capacity you rendered to the country have not yet received that official recognition to which they are justly entitled.

His Excellency, therefore, now commands me to convey to you the expression of his appreciation of the patriotism with which, on that occasion, you placed your services at the disposal of the Government, and at an inclement season of the year cheerfully undertook a long and fatiguing journey to Fort Garry to aid, by your presence and influence, in the repression of the unlooked for disturbance which had unhappily broken out in the North-West.

In selecting you for the delicate and important mission thus confided to you, His Excellency was influenced by the conviction that your thorough knowledge of the people, and the high estimation in which you were held by all classes there, eminently qualified you to act with effect in disabusing the minds of the misguided people of the settlement of the erroneous

opinions they had been led to form of the feelings and intentions of the Government of the Dominion in reference to their country.

Subsequent events have, in His Excellency's opinion, fully justified the wisdom of his selection of a Commissioner. For if the serious dangers which then threatened the settlement were happily averted, and law and order peacefully re-established at Fort Garry, His Excellency feels that the result was in no small degree due to the ability, discretion, and firmness with which you executed your commission, and to the judicious use of the influence which your character and standing enabled you to exercise over all classes of the community at Red River.

I have the honor to be,

Your obedient servant,

JOSEPH HOWE,

Secretary of State for the Provinces.

When this tardy recognition of Commissioner Smith's services was written, the people of the North-West had already shown their appreciation of the great work he had performed for them and for the whole of Canada, by electing him as one of their representatives in the Dominion House of Commons.

Her Majesty the Queen, too, mindful of the services he had rendered to the State while acting in the capacity of Special Commissioner, and in acknowledgment of them, conferred on him the honor of knighthood, as SIR DONALD A. SMITH, K.C.M.G.



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APPENDIX.

1. Royal Charter of 1670.
2. Crown Grant of Exclusive Trade, 1821.
3. Crown Grant of Exclusive Trade, 1838.
4. Commission appointing Hon. Wm. McDougall Lieutenant-Governor.
5. Proclamation issued by Hon. Wm. McDougall on 1st December, 1869.
6. Commission issued by Hon. Wm. McDougall, appointing Col. Dennis Conservator of the Peace.
7. Proclamation issued by Hon. Wm. McDougall on 2nd December, 1869.
8. Proclamation issued by Sir John Young, Governor-General of Canada, on 6th December, 1869.
9. Commission issued to Donald A. Smith, Esq., appointing him Special Commissioner.
10. Laws of Assiniboia passed by the Provisional Government, 7th May, 1870.
11. The Manitoba Act.





APPENDIX.

No. I.

ROYAL CHARTER FOR INCORPORATING THE HUDSON'S BAY COMPANY,
GRANTED BY HIS MAJESTY, KING CHARLES THE SECOND, IN THE
22ND YEAR OF HIS REIGN, A.D. 1670.

CHARLES the Second, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c., to all to whom these presents shall come, greeting :

Whereas our dear and entirely beloved cousin, Prince Rupert, Count palatine of the Rhine, Duke of Bavaria and Cumberland, &c. ; Christopher, Duke of Albemarle ; William, Earl of Craven ; Henry, Lord Arlington ; Anthony, Lord Ashley ; Sir John Robinson, and Sir Robert Vyner, Knights and Baronets ; Sir Peter Colleton, Baronet ; Sir Edward Hungerford, Knight of the Bath ; Sir Paul Neele, Knight ; Sir John Griffith and Sir Phillip Carteret, Knights ; James Hayes, John Kirke, Francis Millington, William Prettyman, John Fenn, Esquires ; and John Portman, Citizen and Goldsmith of London ; have, at their own great cost and charges, undertaken an expedition for Hudson's Bay, in the north-west part of America, for the discovery of a new passage into the South Sea, and for the finding some trade for furs, minerals and other considerable commodities, and by such, their undertaking, have already made such discoveries as do encourage them to proceed further in pursuance of their said design. by means whereof there may probably arise very great advantage to us and our kingdom : And, whereas the said undertakers for their further encouragement in the said design, have humbly besought us to incorporate them, and grant unto them and their successors the sole trade and commerce of all those seas, straits, bays, rivers, lakes, creeks and sounds, in whatsoever latitude they shall be, that are within the entrance of the straits, commonly called Hudson's Straits, together with all the lands, countries and territories upon the coasts and confines of the seas, straits, bays, lakes, rivers, creeks and sounds, afore-

said, which are not now actually possessed by any of our subjects, or by the subjects of any other Christian Prince or State. Now Know Ye, that we, being desirous to promote all endeavors tending to the public good of our people, and to encourage the said undertaking, have of our special grace, certain knowledge and mere motion, given, granted, ratified and confirmed, and by these presents, for us, our heirs and successors do give grant, ratify and confirm unto our said cousin, Prince Rupert, Christopher, Duke of Albemarle; William, Earl of Craven; Henry, Lord Arlington; Anthony, Lord Ashley; Sir John Robinson, Sir Robert Vyner, Sir Peter Colleton, Sir Edward Hungerford, Sir Paul Neele, Sir John Griffith and Sir Phillip Carteret, James Hayes, John Kirke, Francis Millington, William Prettyman, John Fenn and John Portman, that they, and such others as shall be admitted into the said society as is hereafter expressed, shall be one body, corporate and politic, in deed and in name, by the name of "The Governor and Company of Adventurers of England, trading into Hudson's Bay," and them by the name of the "Governor and Company of Adventurers of England, trading into Hudson's Bay" one body corporate and politic, in deed and in name, really and fully forever, for us, our heirs and successors, we do make, ordain, constitute, establish confirm and declare by these presents, and that by the same name of "Governor and Company of Adventurers of England, trading into Hudson's Bay," they shall have perpetual succession, and that they and their successors, by the name of "The Governor and Company of Adventurers of England, trading into Hudson's Bay" be, and at all times hereafter shall be permissible and capable in law, to have, purchase, receive, possess, enjoy and retain lands, rents, privileges, liberties, jurisdictions, franchises and hereditaments, of what kind nature or quality soever they may be, to them and their successors; and also to give, grant, demise, alien, assign and dispose lands, tenements and hereditaments, and to do and execute all and singular other things by the same name that to them shall or may appertain to do; and that they and their successors, by the name of "The Governor and Company of Adventurers of England trading into Hudson's Bay," may plead and be impleaded, answer and be answered, defend and be defended, in whatsoever courts and places, before whatsoever judges and justices, and other persons and officers in all and singular actions, pleas, suits, quarrels, causes and demands whatsoever, of whatsoever kind, nature or sort in such manner and form as any other our liege people of this our realm of England, being persons able and capable in law, may or can have, purchase, receive, possess, enjoy, retain, give, grant, demise, alien, assign, dispose, plead, defend and be defended, do permit and execute; and that the said "Governor and Company of Adventurers of England, trading into Hudson's Bay," and their successors may have a common seal to serve for all

the causes and businesses of them and their successors, and that it shall and may be lawful to the said Governor and Company and their successors, the same seal, from time to time, at their will and pleasure, to break, change, and to make anew or alter, as to them shall seem expedient : And further. we will, and by these presents, for us, our heirs and successors, we do ordain that there shall be from henceforth one of the same Company, to be elected and appointed in such form as hereafter in these presents is expressed, which shall be called the Governor of the said Company ; and that the said Governor and Company, shall or may elect seven of their number, in such form as hereafter in these presents is expressed, which shall be called the Committee of the said Company, which Committee of seven, or any three of them, together with the Governor or Deputy Governor of the said Company for the time being, shall have the direction of the voyages of and for the said Company, and the provision of the shipping and merchandizes thereunto belonging, and also the sale of all merchandizes, goods and other things returned, in all or any of the voyages or ships of or for the said Company, and the managing and handling of all other business, affairs and things belonging to the said Company : And we will, ordain, and grant by these presents, for us, our heirs and successors, unto the said Governor and Company, and their successors, that they the said Governor and Company and their successors shall from henceforth, forever be ruled, ordered and governed, according to such manner and form as is hereafter in these presents expressed, and not otherwise ; and that they shall have, hold, retain and enjoy the grants, liberties, privileges, jurisdictions, and immunities only hereafter in these presents granted and expressed, and no other : And for the better execution of our will and grant in this behalf, we have assigned nominated constituted and made, and by these presents, for us, our heirs and successors, we do assign, nominate, constitute and make our said cousin, Prince Rupert, to be the first and present Governor of the said Company, and to continue in the said office, from the date of these presents until the 10th November then next following, if he, the said Prince Rupert, shall so long live, and so until a new Governor be chosen by the said Company, in form hereafter expressed : And also we have assigned, nominated and appointed, and by these presents, for us, our heirs and successors, we do assign, nominate and constitute, the said Sir John Robinson, Sir Robert Vyner, Sir Peter Colleton, James Hayes, John Kirke, Francis Millington and John Portman, to be the seven first and present Committees of the said Company, from the date of these presents until the said 10th day of November then also next following, and so until new Committees shall be chosen in form hereafter expressed : And further we will and grant by these presents, for us, our heirs and successors, unto the said Governor and Company, and their successors,

that it shall and may be lawful to and for the said Governor and Company for the time being, or the greater part of them present at any public assembly, commonly called the Court General, to be holden for the said Company, the Governor of the said Company being always one, from time to time to elect, nominate and appoint one of the said Company to be Deputy to the said Governor, which Deputy shall take a corporal oath, before the Governor and three or more of the Committee of the said Company for the time being, well, truly and faithfully to execute his said office of Deputy to the Governor of the said Company, and after his oath so taken shall and may from time to time in the absence of the said Governor, exercise and execute the office of Governor of the said Company, in such sort as the said Governor ought to do : And further we will and grant by these presents, for us, our heirs and successors, unto the said Governor and Company of Adventurers of England trading into Hudson's Bay, and their successors, that they, or the greater part of them, whereof the Governor for the time being or his Deputy to be one, from time to time, and at all times hereafter, shall and may have authority and power, yearly and every year, between the first and last day of November, to assemble and meet together in some convenient place, to be appointed from time to time by the Governor, or in his absence by the Deputy of the said Governor for the time being and that they being so assembled, it shall and may be lawful to and for the said Governor or Deputy of the said Governor, and the said Company for the time being, or the greater part of them, which then shall happen to be present, whereof the Governor of the said Company or his Deputy for the time being to be one, to elect and nominate one of the said Company, which shall be Governor of the said Company for one whole year then next following, which person being so elected and nominated to be Governor of the said Company as is aforesaid, before he be admitted to the execution of the said office, shall take a corporal oath before the last Governor, being his predecessor or his Deputy, and any three or more of the Committee of the said Company for the time being, that he shall from time to time well and truly execute the office of Governor of the said Company in all things concerning the same : and that immediately after the same oath so taken, he shall and may execute and use the said office of Governor of the said Company for one whole year from thence next following : And in like sort we will and grant, that as well, every one of the above-named to be of the said Company, as Fellowship, as all others hereafter to be admitted or free of the said Company, shall take a corporal oath before the Governor of the said Company or his Deputy for the time being to such effect as by the said Governor and Company, or the greater part of them, in any public Court to be held for the said Company, shall be in reasonable or legal manner set down and devised, before they shall be allowed or admitted to trade or traffick :

man of the said Company : And further we will and grant by these presents, for us, our heirs and successors, unto the said Governor and Company, and their successors, that the said Governor or Deputy-Governor and the rest of the said Company, and their successors for the time or the greater part of them, whereof the Governor or Deputy-Governor from time to time to be one, shall and may from time to time, at all times hereafter, have power and authority, yearly and every year between the first and last day of November, to assemble and meet together in some convenient place, from time to time to be appointed by the said Governor of the said Company, or in his absence, by his Deputy ; that they being so assembled, it shall and may be lawful to and for the said Governor or his Deputy, and the Company for the time being, or the greater part of them, which then shall happen to be present, whereof the Governor of the said Company or his Deputy for the time being to be chosen, to elect and nominate seven of the said Company, which shall be a Committee of the said Company for one whole year from the next ensuing, the persons being so elected and nominated to be a Committee of the said Company as aforesaid, before they be admitted to the execution of their office, shall take a corporal oath before the Governor or his Deputy, by three or more of the said Committee of the said Company, being their last predecessors, that they and every of them shall well and faithfully perform their said office of Committees in all things concerning the same, that immediately after the said oath so taken, they shall and may exercise and use their said office of Committees of the said Company, for one year from thence next following : And moreover our will and pleasure is by these presents, for us, our heirs and successors, we do grant unto the said Governor and Company, and their successors, that when and as often as it shall happen the Governor or Deputy-Governor of the said Company for the time being, at any time within one year after that he shall be nominated, elected and sworn to the office of the Governor of the said Company, as is aforesaid, to die or to be removed from the said office, the said Governor or Deputy-Governor, not demeaning himself well in his office, we will to be removable at the pleasure of the rest of the said Company, or the greater part of them which shall be present at their next assemblies, commonly called their general courts, holden for the said Company, that then and so often, it shall and may be lawful to and for the residue of the said Company, for the time being, or the greater part of them, within a convenient time after the death or removing of such Governor or Deputy-Governor, to assemble themselves in such convenient place as they shall think fit, for the election of the Governor or Deputy-Governor, of the said Company ; and that the said Company, or the greater part of them, being then and there present, shall and may, and there, before their departure from the said place, elect and nomi-

inate one other of the said Company to be Governor or Deputy-Governor for the said Company, in the place and stead of him that so died or was removed; which person, being so elected and nominated to the office of Governor or Deputy Governor of the said Company, shall have and exercise the said office for and during the residue of the said year, taking first a corporal oath, as is aforesaid, for the due execution thereof; and this to be done from time to time so often as the case shall so require: And also, our will and pleasure is, and by these presents for us, our heirs and successors, we do grant unto the said Governor and Company, that when, and as often as it shall happen, any person or persons of the Committee of the said Company, for the time being, at any time within one year next after that they or any of them shall be nominated, elected and sworn to the office of Committee of the said Company, as is aforesaid, to die or be removed from the said office, which Committees not demeaning themselves well in their said office, we will to be removable at the pleasure of the said Governor and Company, or the greater part of them, whereof the Governor of the said Company, for the time being, or his Deputy, to be one, that then and so often, it shall and may be lawful to and for the said Governor, and the rest of the Company for the time being, or the greater part of them, whereof the Governor, for the time being, or his Deputy to be one, within convenient time after the death or removing of any of the said Committee, to assemble themselves in such convenient place as is or shall be usual and accustomed for the election of the Governor of the said Company, or where else the Governor of the said Company, for the time being, or his Deputy shall appoint: And that the said Governor and Company, or the greater part of them, whereof the Governor, for the time being, or his Deputy to be one, being then and there present, shall and may, then and there, before their departure from the said place, elect and nominate one or more of the said Company to be of the Committee of the said Company in the place and stead of him or them that so died, or were or was so removed, which person or persons so nominated and elected to the office of Committee of the said Company, shall have and exercise the said office for and during the residue of the said year, taking first a corporal oath, as is aforesaid, for the due execution thereof, and this to be done from time to time, so often as the case shall require: And to the end the said Governor and Company of Adventurers of England, trading into Hudson's Bay, may be encouraged to undertake and effectually to prosecute the said design, of our more especial grace, certain knowledge, and mere motion, we have given, granted, and confirmed, and by these presents for us, our heirs and successors, do give, grant and confirm, unto the said Governor and Company, and their successors, the sole trade and commerce of all those seas, straits, bays, rivers, lakes, creeks and sounds, in whatsoever latitude they shall be, that is

within the entrance of the straits commonly called Hudson's Straits, together with all the lands and territories upon the countries, coasts, and confines of the seas, bays, lakes, rivers, creeks, and sounds aforesaid, that are not already actually possessed by or granted to any of our subjects, or possessed by the subjects of any other Christian Prince or State, with the fishing of all sorts of fish, whales, sturgeons, and all other royal fishes in the seas, bays, inlets, and rivers within the premises, and the fish therein taken, together with the royalty of the sea upon the coasts within the limits aforesaid, and all mines royal, as well discovered as not discovered, of gold, silver, gems, and precious stones, to be found or discovered within the territories, limits and places aforesaid, and that the said land be from henceforth reckoned and reputed as one of our plantations or colonies in America, called "Rupert's Land : " And further, we do, by these presents for us, our heirs and successors, make, create and constitute the said Governor and Company, for the time being, and their successors, the true and absolute lords and proprietors of the same territory, limits and places aforesaid, and of all other the premises, saving always the faith, allegiance and sovereign dominion due to us, our heirs and successors, for the same, to have, hold, possess and enjoy the said territory, limits and places, and all and singular other the premises hereby granted as aforesaid, with their and every of their rights, members, jurisdictions, prerogatives, royalties and appurtenances whatsoever, to them, the said Governor and Company, and their successors for ever, to be holden of us, our heirs and successors, as of our manor of East Greenwich, in our county of Kent, in free and common socage, and not in capite or by knight's service ; yielding and paying yearly to us, our heirs and successors, for the same, two elks and two black beavers, whensoever and as often as we, our heirs and successors. shall happen to enter into the said countries, territories and regions hereby granted : And further, our will and pleasure is, and by these presents for us, our heirs and successors, we do grant unto the said Governor and Company, and to their successors, that it shall and may be lawful to and for the said Governor and Company, and their successors, from time to time, to assemble themselves, for or about any the matters, causes, affairs or businesses of the said trade, in any place or places for the same convenient, within our dominions or elsewhere, and there to hold court for the said Company. and the affairs thereof ; and that also, it shall and may be lawful to and for them, and the greater part of them, being so assembled, and that shall then and there be present, in any such place or places, whereof the Governor or his Deputy, for the time being, to be one, to make, ordain and constitute such and so many reasonable laws, constitutions, orders and ordinances as to them, or the greater part of them, being then and there present, shall seem necessary and convenient for the good government of the said company,

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and of all governors of colonies, forts and plantations, factors, masters, mariners, and other officers employed, or to be employed, in any of the territories and lands aforesaid, and in any of their voyages ; and for the better advancement and continuance of the said trade or traffic, and plantations, and the same laws, constitutions, orders and ordinances so made, to put in, use and execute accordingly. and at their pleasure to revoke and alter the same, or any of them, as the occasion shall require ; and that the said Governor and Company, so often as they shall make, ordain, or establish any such laws, constitutions, orders and ordinances, in such form as aforesaid, shall and may lawfully impose, ordain, limit, and provide such pains, penalties, and punishments upon all offenders, contrary to such laws, constitutions, orders and ordinances, or any of them, as to the said Governor and Company, for the time being, or the greater part of them, then and there being present, the said Governor or his Deputy being always one. shall seem necessary, requisite, or convenient for the observation of the same laws, constitutions, orders, and ordinances ; and the same fines and amerciaments shall and may, by their officers and servants, from time to time to be appointed for that purpose, levy, take and have, to the use of the said Governor and Company, and their successors, without the impediment of us, our heirs, or successor, or of any the officers or ministers of us, our heirs, or successors, and without any account therefor to us, our heirs, or successors, to be made : All and singular which laws, constitutions, orders and ordinances, so as aforesaid to be made, we will to be duly observed and kept under the pains and penalties therein to be contained ; so always as the said laws, constitutions, orders and ordinances, fines and amerciaments, be reasonable, and not contrary or repugnant, but as near as may be agreeable to the laws, statutes or customs of this our realm . And furthermore, of our ample and abundant grace, certain knowledge and mere motion, we have granted, and by these presents, for us, our heirs and successors, do grant unto the said Governor and Company, and their successors, that they and their successors, and their factors, servants, and agents, for them and on their behalf, and not otherwise, shall forever hereafter have, use and enjoy, not only the whole, entire and only trade and traffic, and the whole, entire and only liberty, use and privilege of trading and trafficking to and from the territory, limits, and places aforesaid ; but also the whole and entire trade and traffic to and from all havens, bays, creeks, rivers, lakes and seas, into which they shall find entrance or passage by water or land out of the territories, limits or places aforesaid ; and to and with all the natives and people inhabiting, or which shall inhabit within the territories, limits and places aforesaid ; and to and with all other nations inhabiting any of the coasts adjacent to the said territories, limits and places which are not already possessed as aforesaid, or whereof the sole

liberty or privilege of trade and traffic is not granted to any other of our subjects : And we, of our further royal favor, and of our more especial grace, certain knowledge and mere motion, have granted, and by these presents, for us, our heirs and successors, do grant to the said Governor and Company, and to their successors, that neither the said territories, limits and places, hereby granted as aforesaid, nor any part thereof, nor the islands, havens, ports, cities, towns, or places thereof, or therein contained, shall be visited, frequented, or haunted by any of the subjects of us, our heirs, or successors, contrary to the true meaning of these presents, and by virtue of our prerogative royal, which we will not have in that behalf argued or brought into question : We strictly charge, command and prohibit for us, our heirs and successors, all the subjects of us, our heirs and successors, of what degree or quality soever they be, that none of them, directly or indirectly, do visit, haunt, frequent or trade, traffic, or adventure, by way of merchandise, into or from any of the said territories, limits or places hereby granted, or any, or either of them, other than the said Governor and Company, and such particular persons as now be, or hereafter shall be, of that Company, their agents, factors and assigns, unless it be by the license and agreement of the said Governor and Company, in writing first had and obtained, under the common seal, to be granted, upon pain that every such person or persons that shall trade or traffic into or from any of the countries, territories or limits aforesaid, other than the said Governor and Company, and their successors, shall incur our indignation, and the forfeiture and loss of the goods, merchandise, and other things whatsoever, which so shall be brought into this realm of England, or any of the dominions of the same, contrary to our said prohibition, or the purport or true meaning of these presents, for which the said Governor and Company shall find, take and seize in other places out of our dominions, where the said Company, their agents, factors or ministers, shall trade, traffic, or inhabit, by virtue of these our letters patent, as also the ship and ships, with the furniture thereof, wherein such goods, merchandises, and other things, shall be brought and found ; the one-half of all the said forfeitures to be to us, our heirs and successors, and the other half thereof we do by these presents clearly and wholly, for us, our heirs and successors, give and grant unto the said Governor and Company, and their successors : And further, all and every the said offenders, for the said contempt, to suffer such other punishment as to us, our heirs and successors, for so high a contempt, shall seem meet and convenient, and not to be in any wise delivered until they and every one of them shall become bound unto the said Governor for the time being, in the sum of one thousand pounds at the least, at no time thereafter to trade or traffic into any of the said places, seas, straits, bays, ports, havens, or territories aforesaid, contrary to our express command-

ment in that behalf set down and published : And further, of our more especial grace, we have condescended and granted, and by these presents, for us, our heirs and successors, do grant unto the said Governor and Company, and their successors, that we, our heirs and successors, will not grant liberty, license or power to any person or persons whatsoever, contrary to the tenor of these our letters patent, to trade, traffic, or inhabit, unto or upon any the territories, limits or places afore specified, contrary to the true meaning of these presents, without the consent of the said Governor and Company, or the most part of them : And, of our more abundant grace and favor to the said Governor and Company, we do hereby declare our will and pleasure to be, that if it shall so happen that any of the persons free or to be free of the said Company of adventurers of England trading into Hudson's Bay, who shall, before the going forth of any ship or ships appointed for a voyage or otherwise, promise or agree, by writing under his or their hands, to adventure any sum or sums of money towards the furnishing any provision or maintenance of any voyage or voyages, set forth, or to be set forth, or intended or meant to be set forth by the said Governor and Company, or the more part of them present at any public assembly, commonly called their general court, shall not within the space of twenty days next after warning given to him or them by the said Governor or Company, or their known officer or minister, bring in and deliver to the Treasurer or Treasurers, appointed for the Company such sums of money as shall have been expressed and set down in writing by the said person or persons, subscribed with the name of said adventure or adventurers, that then and at all times after it shall and may be lawful to and for the said Governor and Company, or the more part of them present, whereof the said Governor or his Deputy to be one, at any of their general courts or general assemblies, to remove and disfranchise him or them, and every such person and persons at their wills and pleasures, and he or they so removed and disfranchised, not to be permitted to trade into the countries, territories, and limits aforesaid, or any part thereof, nor to have any adventure or stock going or remaining with or amongst the said Company, without the special license of the said Governor and Company, or the more part of them present at any General Court, first had and obtained in that behalf, any thing before in these presents to the contrary thereof in any wise notwithstanding : And our will and pleasure is, and hereby we do also ordain, that it shall and may be lawful to and for the said Governor and Company, or the greater part of them, whereof the Governor for the time being or his Deputy to be one, to admit into and to be of the said company all such servants and factors, of or for the said Company, and all such others as to them or the most part of them present, at any Court held for the said Company, the Governor or his Deputy being one, shall be thought fit and agreeable with the orders and re-

finances made and to be made for the Government of the said Company : And further, our will and pleasure is, and by these presents, for us, our heirs and successors, we do grant unto the said Governor and Company, and to their successors, that it shall and may be lawful in all elections and by-laws to be made by the General Court of the Adventurers of the said Company that every person shall have a number of votes according to his stock, that is to say, for every hundred pounds by him subscribed or brought into the present stock, one vote, and that any of those that have subscribed or brought into the present stock, one vote, and that any of those that have subscribed less than one hundred pounds, may join their respective sums to make up one hundred pounds, and have one vote jointly for the same, and not otherwise : And further of our especial grace, certain knowledge and mere motion, we do for us, our heirs and successors, grant to and with the said Governor and Company of Adventurers of England trading into Hudson's Bay, that all lands, islands, territories, plantations, forts, fortifications, factories or colonies, where the said Company's factories and trade are or shall be, within any the posts or places afore limited, shall be immediately and from henceforth under the power and command of the said Governor and Company, their successors and assigns ; saving the faith and allegiance due to be performed to us, our heirs and successors as aforesaid ; and that the said Governor and Company shall have liberty, full power and authority to appoint and establish Governors and all other officers to govern them, and that the Governor and his Council of the several and respective places where the said Company shall have plantations, forts, factories, colonies, or places of trade within any of the countries, lands or territories hereby granted may have power to judge all persons belonging to the said Governor and Company, or that shall live under them, in all causes, whether civil or criminal, according to the laws of this kingdom, and to execute justice accordingly ; and in case any crime or misdemeanour shall be committed in any of the said Company's plantations, forts, factories, or places of trade within the limits aforesaid, where judicature cannot be executed for want of a Governor and Council there, then in such case it shall and may be lawful for the chief factor of that place and his Council to transmit the party, together with the offence, to such other plantation, factory or fort where there shall be a Governor and Council, where justice may be executed, or into this kingdom of England, as shall be thought most convenient, there to receive such punishment as the nature of his offence shall deserve : And moreover, our will and pleasure is, and by these presents, for us, our heirs and successors, we do give and grant unto the said Governor and Company, and their successors, free liberty and license, in case they conceive it necessary, to send either ships of war, men or ammunition, unto any of their plantations, forts, factories or places

of trade aforesaid, for the security and defence of the same, and to choose commanders and officers over them, and to give them power and authority, by commission under their common seal, or otherwise, to continue or make peace or war with any prince or people whatsoever, that are not Christians, in any places where the said Company shall have any plantations, forts, or factories, or adjacent thereunto, as shall be most for the advantage and benefit of the said Governor and Company, and of their trade; and also to right and recompense themselves upon the goods, estates or people of those parts, by whom the said Governor and Company shall sustain any injury, loss or damage, or upon any other people whatsoever that shall any way, contrary to the intent of these presents, interrupt wrong, or injure them in their trade, within the said places, territories, and limits granted by this charter. And that it shall and may be lawful to and for the said Governor and Company, and their successors, from time to time, and at all times from henceforth, to erect and build such castles, fortifications, forts, garrisons, colonies, or plantations, towns or villages, in any part or places within the limits and bounds granted before in these presents unto the said Governor and Company, as they in their discretion shall think fit and requisite, and for the supply of such as shall be needful and convenient, to keep and be in the same, to send out of this kingdom, to the said castles, forts, fortifications, garrisons, colonies, plantations, towns or villages, all kinds of clothing, provision of victuals, ammunition and implements necessary for such purpose, paying the duties and customs for the same, as also to transport and carry over such number of men, being willing themselves, or not prohibited, as they shall think fit, and also to govern them in such legal and reasonable manner as the said Governor and Company shall think best, and to inflict punishment for misdemeanors or impose such fines upon them for breach of their orders, as in these presents are formerly expressed: And further, our will and pleasure is, and by these presents, for us, our heirs and successors, we do grant unto the said Governor and Company, and to their successors, full power and lawful authority to seize upon the persons of all such English, or any other our subjects which shall sail into Hudson's Bay, or inhabit in any of the countries, islands or territories hereby granted to the said Governor and Company, without their leave and license in that behalf first had and obtained, or that shall condemn or disobey their orders, and send them to England: and that all and every person or persons, being our subjects, any ways employed by the said Governor and Company, within any the parts, places, and limits aforesaid, shall be liable unto and suffer such punishment for any offences by them committed in the parts aforesaid, as the President and Council for the said Governor and Company there shall think fit, and the merit for the offence shall require, as

aforesaid ; and in case any person or persons being convicted and sentenced by the President and Council of the said Governor and Company, in the countries, lands or limits aforesaid, their factors or agents there, for any offence by them done, shall appeal from the same, that then and in such case it shall and may be lawful to and for the said President and Council, factors or agents, to seize upon him or them, and to carry him or them home prisoners into England, to the said Governor and Company, there to receive such condign punishment as his cause shall require, and the laws of this nation allow of ; and for the better discovery of abuses and injuries to be done unto the said Governor and Company, or their successors, by any servant by them to be employed in the said voyages and plantations, it shall and may be lawful to and for the said Governor and Company, and their respective President, Chief Agent or Governor in the parts aforesaid, to examine upon oath all factors, masters, pursers, supercargoes, commanders of castles, forts, fortifications, plantations or colonies, or other persons, touching or concerning any matter or thing in which by law or usage an oath may be administered, so as the said oath, and the matter therein contained, be not repugnant, but agreeable to the laws of this realm : And we do hereby strictly charge and command all and singular our Admirals, Vice-Admirals, Justices, Mayors, Sheriffs, Constables, Bailiffs, and all and singular other our officers, ministers, liege men and subjects whatsoever, to be aiding, favouring, helping and assisting to the said Governor and Company, and to their successors, and to their deputies, officers, factors, servants, assigns and ministers, and every of them, executing, and enjoying the premises as well on land as on sea, from time to time, when any of you shall thereunto be required : Any statute, act, ordinance, proviso, proclamation or restraint heretofore had, made, set forth, ordained, or provided, or any other matter, cause or thing whatsoever to the contrary in anywise notwithstanding. In witness whereof we have caused these our Letters to be made Patent. Witness ourself at Westminster, the second day of May, in the two-and twentieth year of our reign.

By Writ of Privy Seal.

PIGOTT.

No. 2.

**CROWN GRANT TO THE HUDSON'S BAY COMPANY OF EXCLUSIVE TRADE,
1821.****GEORGE R.****(L. S.)****GEORGE THE FOURTH, by the Grace of God of the United
Kingdom of Great Britain and Ireland, King, De-
fender of the Faith.****To all whom these Presents shall come, GREETING :**

WHEREAS An Act passed in the second year of our reign, intituled, "An Act for regulating the Fur Trade, and for establishing a Criminal and Civil Jurisdiction within certain parts of North America ; wherein it is amongst other things enacted, that from and after the passing of the said Act, it should be lawful for us, our heirs or successors, to make grants or give our Royal License, under the hand and seal of one of our Principal Secretaries of State to any body corporate or company, or person or persons, of or for the exclusive privilege of trading with the Indians in all such parts of North America as should be specified in any such Grants or Licenses respectively, not being part of the lands or territories heretofore granted to the Governor and Company of Adventurers of England trading to Hudson's Bay, and not being part of any of our provinces in North America, or of any lands or territories belonging to the United States of America, and that all such Grants and Licenses should be good, valid and effectual, for the purpose of securing to all such bodies corporate, or companies, or persons, the sole and exclusive privilege of trading with the Indians, in all such parts of North America (except as thereafter excepted) as should be specified in such Grants or Licenses, anything contained in any Act or Acts of Parliament, or any law to the contrary notwithstanding ; and it was in the said Act further enacted, that no such Grant or License made or given by us, our heirs or successors, of any such exclusive privileges of trading with the Indians in such parts of North America as aforesaid should be made or given for any longer period than 21 years, and that no rent should be required or demanded for or in respect of any such Grant or License, or any privileges given thereby, under the provisions of the said Act, for the first period of 21 years ; and it was further enacted, that from and after the passing of the said Act, the Governor and Company of Adventurers of England trading to Hudson's Bay, and every body corporate and company and person, to whom every such Grant or License should be made or given as aforesaid, should respectively keep accurate registers of all parties in their employ, in any

parts of North America, and should once in each year return to our Principal Secretaries of State accurate duplicates of such registers, and should also enter into such security as should be required by us for the due execution of all criminal processes, and of any civil process in any suit where the matter in dispute should exceed 200*l.*, and as well within the territories included in any such grant as within those granted by Charter to the Governor and Company of Adventurers of England trading to Hudson's Bay, and for the producing and delivery into safe custody, for the purpose of trial, all persons in their employ, or acting under their authority, who should be charged with any criminal offence, and also for the due and faithful observance of all such rules, regulations and stipulations as should be contained in any such Grant or License, either for gradually diminishing and ultimately preventing the sale or distribution of spirituous liquors to the Indians, or for promoting their moral and religious improvement ; or for any other object which we might deem necessary for the remedy or prevention of any other evils which have been hitherto found to exist : And whereas it was also in the said Act recited, that by a Convention entered into between his late Majesty and the United States of America, it was stipulated and agreed that every country on the North-West coast of America to the westward of the Stony Mountains should be free and open to the citizens and subjects of the two powers for the term of ten years from the date of the signature of that Convention ; and it was therefore enacted, that nothing in the said Act contained should be deemed or construed to authorise any body corporate, company or person, to whom his Majesty might, under the provisions of the said Act, make or grant, or give a license of exclusive trade with the Indians, in such parts of North America as aforesaid, to claim or exercise any such exclusive trade within the limits specified in the said article, to the prejudice or exclusion of any citizens of the United States of America who might be engaged in the same trade : Provided always that no British subject should trade with the Indians within such limits without such Grant or License as was by the said Act required.

And whereas the said Governor and Company of Adventurers of England, trading into Hudson's Bay, and certain Associations of persons trading under the name of the " North-west Company of Montreal." have respectively extended the fur trade over many parts of North America which had not been before explored : And whereas the competition in the said trade has been found for some years past to be productive of great inconvenience and loss, not only to the said Company and Associations, but to the said trade in general, and also of great injury to the native Indians, and of other persons our subjects : And whereas the said Governor and Company of Adventurers of England, trading into Hudson's Bay, and William M'Gillivray, of Montreal, in the province of Lower

Canada, esquire, Simon M'Gillivray, of Suffolk lane, in the City of London, merchant, and Edward Ellice, of Spring Gardens, in the county of Middlesex, esquire, have represented to us, that they have entered into an agreement on the 26th day of March last, for putting an end to the said competition, and carrying on the said trade for 21 years, commencing with the outfit of 1821, and ending with the returns of 1841, to be carried on in the name of the said Governor and Company exclusively.

And whereas the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, have humbly besought us to make a grant, and give our Royal License to them jointly, of and for the exclusive privilege of trading with the Indians in North America, under the restrictions and upon the terms and conditions specified in the said recited Act: Now know ye, that we being desirous of encouraging the said trade and remedying the evils which have arisen from the competition which has heretofore existed therein, do grant and give our Royal License, under the hand and seal of one of our principal Secretaries of State, to the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, for the exclusive privilege of trading with the Indians in all such parts of North America to the northward and the westward of the lands and territories belonging to the United States of America as shall not form part of any of our provinces in North America, or of any lands or territories belonging to the said United States of America, or to any European Government, state or power; and we do by these presents, give, grant and secure to the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, jointly, the sole and exclusive privilege, for the full period of 21 years from the date of this our grant, of trading with the Indians in all such parts of North America as aforesaid (except as hereinafter excepted); and we do hereby declare that no rent shall be required or demanded for or in respect of this our Grant and License, or any privileges given thereby, for the said period of 21 years, but that the said Governor and Company and the said William M'Gillivray, Simon M'Gillivray and Edward Ellice shall, during the period of this our Grant and License, keep accurate registers of all persons in their employ in any parts of North America and shall once in each year return to our Secretary of State accurate duplicates of such registers, and shall also enter into and give security to us, our heirs and successors, in the penal sum of 5,000*l.* for ensuring, as far as in them may lie, the due execution of all criminal processes, and of any civil process in any suit where the matter in dispute shall exceed 200*l.* by the officers and persons legally empowered to execute such processes within all the territories included in this our grant, and for the producing and delivering into safe custody, for the purposes of trial, any persons in their employ, or acting under their authority within the said territories, who may be charged with any criminal offence.

And we do also hereby require, that the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice shall, as soon as the same can be conveniently done, make and submit for our consideration and approval such rules and regulations for the management and carrying on the said fur trade with the Indians, and the conduct of the persons employed by them therein, as may appear to us to be effectual for gradually diminishing or ultimately preventing the sale or distribution of spirituous liquors to the Indians, and for promoting their moral and religious improvement.

And we do hereby declare, that nothing in this our grant contained shall be deemed or construed to authorise the said Governor and Company, or William M'Gillivray, Simon M'Gillivray and Edward Ellice, or any person in their employ, to claim or exercise any trade with the Indians on the North-West coast of America to the westward of the Stony Mountains, to the prejudice or exclusion of any of the citizens of the United States of America who may be engaged in the same trade : Provided always that no British subjects other than and except the said Governor and Company, and the said William M'Gillivray, Simon M'Gillivray and Edward Ellice, and the persons authorised to carry on exclusive trade by them on Grant, shall trade with the Indians within such limits during the period of this our Grant.

Given at our Court at Carlton-house,
the 5th day of December, 1821, in
the second year of our reign.

By His Majesty's command.

(L. S.) BATHURST.

No. 3.

**CROWN GRANT TO THE HUDSON'S BAY COMPANY OF THE EXCLUSIVE
TRADE WITH THE INDIANS IN CERTAIN PARTS OF NORTH AMERICA,
FOR A FURTHER TERM OF TWENTY-ONE YEARS, AND UPON THE SUR-
RENDER OF A FORMER GRANT.**

VICTORIA R.

(L. S.) **VICTORIA.** by the Grace of God of the United Kingdom
of Great Britain and Ireland, **QUEEN,** Defender of
the Faith.

To all to whom these Presents shall come, GREETING :

WHEREAS, by an Act passed in the Session of Parliament holden in the
first and second years of the reign of His late Majesty King George the

Fourth, entitled "An Act for regulating the Fur Trade, and establishing a Criminal and Civil Jurisdiction within certain parts of North America," it was amongst other things, enacted, that from and after the passing of the said Act, it should be lawful for His said Majesty, his heirs or successors, to make Grants, or give his or their Royal License, under the hand and seal of one of his or their principal Secretaries of State, to any body corporate or Company, or person or persons, of or for the exclusive privilege of trading with the Indians in all such parts of North America as should be specified in any such Grants or Licenses respectively, not being part of the lands and territories theretofore granted to the Governor and Company of Adventurers of England trading to Hudson's Bay, and not being part of any of our provinces in North America, or of any lands or territories belonging to the United States of America, and that all such Grants and Licenses should be good, valid and effectual for the purpose of securing to all such bodies corporate, or companies, or persons, the sole and exclusive privilege of trading with the Indians in all such parts of North America (except as thereafter excepted) as should be specified in such Grants or Licenses, anything contained in any Act or Acts of Parliament, or any law to the contrary notwithstanding; and it was further enacted, that no such Grant or License made or given by His said Majesty, his heirs or successors, of any such exclusive privileges of trading with the Indians in such parts of North America as aforesaid, should be made or given for any longer period than 21 years, and that no rent should be required or demanded for or in respect of any such Grant or License, or any such privileges given thereby under the provisions of the said Act for the first period of 21 years; and it was further enacted, that from and after the passing of the said Act, the Governor and Company of Adventurers trading to Hudson's Bay, and every body corporate, and company, and person to whom any such Grant or License should be made or given as aforesaid, should respectively keep accurate registers of all persons in their employ in any parts of North America, and should once in each year return to the Principal Secretaries of State accurate duplicates of such registers, and should also enter into such security as should be required for the due execution of all processes criminal and civil, as well within the territories included within any such Grant, as within those granted by Charter to the Governor and Company of Adventurers of England trading to Hudson's Bay, and for the producing or delivering in to safe custody, for the purpose of trial, all persons in their employ or acting under their authority, who should be charged with any criminal offence, and also for the due and faithful observance of all such rules, regulations and stipulations as should be contained in any such Grant or License, either for gradually diminishing and ultimately preventing the sale or distribution of spirituous liquors to the Indians, or for promoting their moral

and religious improvement, or for any other object which might be deemed necessary for the remedy or prevention of any other evils which had hitherto been found to exist ; and where as it was in the said Act recited, that by a convention entered into between his said late Majesty and the United States of America, it was stipulated and agreed, that every country on the North-West Coasts of America to the westward of the Stony Mountains should be free and open to the citizens and subjects of the two powers for the term of ten years from the date of the signature of that convention ; and it was therefore enacted, that nothing in the said Act contained should be deemed or construed to authorise any body corporate, company or person to whom his said Majesty might, under the provisions of the said Act, make or grant or give a license of exclusive trade with the Indians in such parts of North America as aforesaid to claim or exercise any such exclusive trade within the limits specified in the said article, to the prejudice or exclusion of any citizens of the said United States of America who might be engaged in the said trade ; with a proviso, that no British subject should trade with the Indians within such limits without such Grant or License as was by the said Act required :

And whereas by an instrument under the hand and seal of the Right Honorable Earl Bathurst, then one of his said late Majesty's Secretaries of State, and dated the 6th day of December, 1821, after reciting therein, as or to the effect aforesaid, and also reciting that the said Governor and Company of adventurers of England trading to Hudson's Bay, and certain Associations of persons trading under the name of " The North-West Company of Montreal," had respectively extended the fur trade over many parts of North America which had not been before explored, and that the competition in the said trade had been found, for some years then past, to be productive of great inconvenience and loss, not only to the said Company and Associations, but to the said trade in general, and also of great injury to the native Indians, and of other persons, his said Majesty's subjects ; and that the said Governor and Company of Adventurers trading to Hudson's Bay ; and William McGillivray, of Montreal, in the Province of Lower Canada, esquire ; Simon McGillivray, of Suffolk Lane, in the city of London merchant ; and Edward Ellice, of Spring Gardens, in the county of Middlesex, esquire ; had represented to his said Majesty that they had entered into an agreement, on the 20th day of March last, for putting an end to the said competition, and carrying on the said trade for 21 years, commencing with the outfit of 1821, and ending with the returns of the outfit of 1841, to be carried on in the name of the said Governor and Company exclusively, and that the said Governor and Company, and William McGillivray, Simon McGillivray, and Edward Ellice, had humbly besought his said late Majesty to make a grant, and give his Royal License to them jointly of and for the

exclusive privilege of trading with the Indians in North America, under the restrictions, and upon the terms and conditions specified in the said recited Act ; his said late Majesty, being desirous of encouraging the said trade, and remedying the evils which had arisen from the competition which had theretofore existed therein, did give and grant his Royal License, under the hand and seal of one of his principal Secretaries of State, to the said Governor and Company, and William McGillivray, Simon McGillivray, and Edward Ellice, for the exclusive privilege of trading with the Indians in all such parts of North America to the northward and to the westward of the said lands and territories belonging to the United States of America, as should not form part of any of his said Majesty's Provinces in North America, or of any lands or territories belonging to the said United States of America, or to any European Government, state or power ; and his said late Majesty did also give, and grant, and secure to the said Governor and Company, and William McGillivray, Simon McGillivray, and Edward Ellice, the sole and exclusive privilege, for the full period of 21 years from the date of that grant, of trading with the Indians in all such parts of North America as aforesaid (except as thereafter excepted), and did thereby declare that no rent should be required or demanded for, or in respect of that grant and License, or any privileges given thereby for the said period of 21 years, but that the said Governor and Company of Adventurers trading to Hudson's Bay, and the said William McGillivray, Simon McGillivray, and Edward Ellice, should during the period of that grant and License, keep accurate registers of all persons in their employ in any parts of North America, and should once in each year return to his said Majesty's Secretary of State accurate duplicates of such registers, and enter into and give security to his said Majesty, his heirs and successors, in the penal sum of 5,000*l.* for ensuring as far as in them might lay, or as they could by their authority over the servants and persons in their employ, the due execution of all criminal processes, and of every civil process in any suit where the matter in dispute shall exceed 200*l.* by the officers and persons legally empowered to execute such processes within all the territories included in that grant, and for the producing or delivering into custody for purposes of trial all persons in their employ, or acting under their authority within the said territories, who should be charged with any criminal offence ; and his said Majesty did thereby require that the said Governor and Company, and William McGillivray, Simon McGillivray and Edward Ellice, should as soon as the same could be conveniently done, make and submit for his said Majesty's consideration and approval, such rules and regulations for the management and carrying on of the said fur trade with the Indians, and the conduct of the persons employed by them therein, as might appear to his said Majesty to be effectual for diminishing or preventing the

r distribution of spirituous liquors to the Indians, and for promoting moral and religious improvement ; and his said Majesty did thereby re, that nothing in that grant contained, should be deemed or construed to authorize the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, or any persons in their employ, to import or exercise any trade with the Indians on the North-West coast of America to the westward of the Stony Mountains, to the prejudice or injury of any citizens of the United States of America who might be engaged in the said trade ; and providing also by the now reciting grant, that no British subjects, other than and except the said Governor and Company, and the said William M'Gillivray, Simon M'Gillivray and Edward Ellice, and the persons authorized to carry on exclusive trade by the said grant, should trade with the Indians within such limits during the period of that grant ; and whereas the said Governor and Company had acquired to themselves all the rights and interests of the said William M'Gillivray, Simon M'Gillivray and Edward Ellice, under the said recited grant, and the said Governor and Company having humbly besought us to accept a surrender of the said grant, and in consideration thereof to give a grant to them, and give to them our Royal License and authority for the like exclusive privilege of trading with the Indians in North America, for the like period and upon similar terms and conditions to those specified and referred to in the said recited grant : Now know ye, in consideration of the surrender made to us of the said recited grant, being desirous of encouraging the said trade, and of preventing as far as possible a recurrence of the evils mentioned or referred to in the said recited grant : as also in consideration of the yearly rents hereinafter reserved to us, we do hereby grant and give our License, under the hand and seal of one of our principal Secretaries of State, to the said Governor and Company, and their successors, for the exclusive privilege of trading with the Indians in all such parts of North America to the northward and the westward of the lands and territories belonging to the United States of America, as shall not form part of any of our provinces in North America or of any lands or territories belonging to the said United States of America or to any European government, state or power, but subject nevertheless as hereinafter mentioned ; And we do by these presents give, grant and secure to the said Governor and Company, and their successors, the said exclusive privilege, for the full period of 21 years from the date of this our grant, of trading with the Indians in all such parts of North America as aforesaid. (except as hereinafter mentioned) : And we do hereby declare, that no rent shall be required or demanded for or in respect of the said grant and License, or any privileges given thereby, for the first five years of the said term of 21 years ; and we do hereby reserve to ourselves, our heirs and successors, for the remainder of the said term of

exclusive privilege of trading with the Indians in North America, under the restrictions, and upon the terms and conditions specified in the said recited Act ; his said late Majesty, being desirous of encouraging the said trade, and remedying the evils which had arisen from the competition which had theretofore existed therein, did give and grant his Royal License, under the hand and seal of one of his principal Secretaries of State, to the said Governor and Company, and William McGillivray, Simon McGillivray, and Edward Ellice, for the exclusive privilege of trading with the Indians in all such parts of North America to the northward and to the westward of the said lands and territories belonging to the United States of America, as should not form part of any of his said Majesty's Provinces in North America, or of any lands or territories belonging to the said United States of America, or to any European Government, state or power ; and his said late Majesty did also give, and grant, and secure to the said Governor and Company, and William McGillivray, Simon McGillivray, and Edward Ellice, the sole and exclusive privilege, for the full period of 21 years from the date of that grant, of trading with the Indians in all such parts of North America as aforesaid (except as therein after excepted), and did thereby declare that no rent should be required or demanded for, or in respect of that grant and License, or any privileges given thereby for the said period of 21 years, but that the said Governor and Company of Adventurers trading to Hudson's Bay, and the said William McGillivray, Simon McGillivray, and Edward Ellice, should during the period of that grant and License, keep accurate registers of all persons in their employ in any parts of North America, and should once in each year return to his said Majesty's Secretary of State accurate duplicates of such registers, and enter into and give security to his said Majesty, his heirs and successors, in the penal sum of 5,000*l*. for ensuring as far as in them might lay, or as they could by their authority over the servants and persons in their employ, the due execution of all criminal processes, and of every civil process in any suit where the matter in dispute shall exceed 200*l*, by the officers and persons legally empowered to execute such processes within all the territories included in that grant, and for the producing or delivering into custody for purposes of trial all persons in their employ, or acting under their authority within the said territories, who should be charged with any criminal offence ; and his said Majesty did thereby require that the said Governor and Company, and William McGillivray, Simon McGillivray and Edward Ellice, should as soon as the same could be conveniently done, make and submit for his said Majesty's consideration and approval, such rules and regulations for the management and carrying on of the said fur trade with the Indians, and the conduct of the persons employed by them therein, as might appear to his said Majesty to be effectual for diminishing or preventing the

sale or distribution of spirituous liquors to the Indians, and for promoting their moral and religious improvement ; and his said Majesty did thereby declare, that nothing in that grant contained, should be deemed or construed to authorize the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, or any persons in their employ to claim or exercise any trade with the Indians on the North-West coast of America to the westward of the Stony Mountains, to the prejudice or exclusion of any citizens of the United States of America who might be engaged in the said trade ; and providing also by the now reciting grant, that no British subjects, other than and except the said Governor and Company, and the said William M'Gillivray, Simon M'Gillivray and Edward Ellice, and the persons authorized to carry on exclusive trade by them on grant, should trade with the Indians within such limits during the period of that grant ; and whereas the said Governor and Company have acquired to themselves all the rights and interests of the said William M'Gillivray, Simon M'Gillivray and Edward Ellice, under the said recited grant, and the said Governor and Company having humbly besought us to accept a surrender of the said grant, and in consideration thereof to make a grant to them, and give to them our Royal License and authority of and for the like exclusive privilege of trading with the Indians in North America, for the like period and upon similar terms and conditions to those specified and referred to in the said recited grant : Now know ye, that in consideration of the surrender made to us of the said recited grant, and being desirous of encouraging the said trade, and of preventing as much as possible a recurrence of the evils mentioned or referred to in the said recited grant : as also in consideration of the yearly rents hereinafter reserved to us, we do hereby grant and give our License, under the hand and seal of one of our principal Secretaries of State, to the said Governor and Company, and their successors, for the exclusive privilege of trading with the Indians in all such parts of North America to the northward and to the westward of the lands and territories belonging to the United States of America, as shall not form part of any of our provinces in North America, or of any lands or territories belonging to the said United States of America or to any European government, state or power, but subject nevertheless as hereinafter mentioned ; And we do by these presents give, grant and secure to the said Governor and Company, and their successors, the sole and exclusive privilege, for the full period of 21 years from the date of this our grant, of trading with the Indians in all such parts of North America as aforesaid, (except as hereinafter mentioned) : And we do hereby declare, that no rent shall be required or demanded for or in respect of this our grant and License, or any privileges given thereby, for the first four years of the said term of 21 years ; and we do hereby reserve to ourselves, our heirs and successors, for the remainder of the said term of

21 years, the yearly rent or sum of 5s. to be paid by the said Governor and Company, or their successors, on the first day of June in every year, into our Exchequer, on the account of us, our heirs and successors; and we do hereby declare, that the said Governor and Company, and their successors, shall during the period of this our grant and License, keep accurate registers of all persons in their employ in any parts of North America, and shall once in each year return to our Secretary of State accurate duplicates of such registers; and shall also enter into and give security to us, our heirs and successors, in the penal sum of 5,000*l*, for ensuring, as far as in them may lie, or as they can by their authority over the servants and persons in their employ, the due execution of all criminal and civil processes by the officers and persons legally empowered to execute such processes within all the territories included in this our grant, and for the producing or delivering into custody for the purpose of trial all persons in their employ or acting under their authority within the said territories who shall be charged with any criminal offence; and we do also hereby require, that the said Governor and Company, and their successors, shall, as soon as the same can be conveniently done, make and submit for our consideration and approval such rules and regulations for the management and carrying on the said fur trade with the Indians, and the conduct of the persons employed by them therein, as may appear to us to be effectual for diminishing or preventing the sale or distribution of spirituous liquors to the Indians, and for promoting their moral and religious improvement: But we do hereby declare, that nothing in this our grant contained shall be deemed or construed to authorize the said Governor and Company, or their successors, or any persons in their employ, to claim or exercise any trade with the Indians or the North-West coast of America to the westward of the Stony Mountains to the prejudice or exclusion of any of the subjects of any foreign states, who under or by force of any convention for the time being between us and such foreign states respectively, may be entitled to and shall be engaged in the said trade: Provided nevertheless, and we do hereby declare our pleasure to be, that nothing herein contained shall extend or be construed to prevent the establishment by us, our heirs or successors, within the territories aforesaid, or any of them, of any colony or colonies, province or provinces, or for annexing any part of the aforesaid territories to any existing colony or colonies to us in right of our Imperial Crown, belonging, or for constituting any such form of civil government as to us may seem meet within any such colony or colonies, province or provinces. And we do hereby reserve to us, our heirs and successors, full power and authority to revoke these presents, or any part thereof in as far as the same may embrace or extend to any of the territories aforesaid, which may hereafter be comprised within any colony or colonies, province or provinces as aforesaid.

It being nevertheless hereby declared, that no British subjects other than and except the said Governor and Company, and their successors, and the persons authorized to carry on exclusive trade by them, shall trade with the Indians during the period of this our grant within the limits aforesaid, or within that part thereof which shall not be comprised within any such colony or province as aforesaid.

Given at our Court at Buckingham Palace,
30th day of May, 1838.

By Her Majesty's Command,
(L. S.) (Signed) GLENELG.

No. 4.

COMMISSION APPOINTING HON. WM. MCDUGALL LIEUTENANT-GOVER-
NOR OF THE NORTH-WEST TERRITORIES, CANADA.

JOHN YOUNG.

VICTORIA, by the Grace of GOD of the United Kingdom of
Great Britain and Ireland QUEEN, Defender of the
Faith, &c.

To the Honorable William McDougall, of the City of Ottawa, in the
Province of Ontario, in Our Dominion of Canada, Member of Our
Privy Council for Canada, and Companion of Our Most Honorable
Order of the Bath,—GREETING :

WHEREAS by an Act of the Parliament of Canada, made and passed in
the Session held in the thirty-second and thirty-third years of Our reign,
and intituled :

“ An Act for the Temporary Government of Rupert's Land and the
North-West Territory when united with Canada.” After reciting that it
is probable that We, pursuant to the British North America Act, 1867,
may be pleased to admit Rupert's Land and the North-West Territory
into the Union or Dominion of Canada before the then next session of
the Canadian Parliament, and further reciting that it is expedient to pre-
pare for the transfer of the said Territories from the Local Territories to
the Government of Canada at the time which may be appointed by Us for
such admission, and to make some temporary provision for the civil gov-
ernment of such Territories until more permanent arrangements can be
made by the Government and Legislature of Canada. It is by the said
Act now in recital in effect enacted that it shall be lawful for Our Gover-
nor, by any order or orders to be by him from time to time made with

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the advice of the Privy Council and subject to such conditions and restrictions as to him shall seem meet, to authorize such officer as he may from time to time appoint as Lieutenant-Governor of the North-West Territories, to make provision for the administration of justice therein, and generally to make, ordain and establish all such laws, institutions and ordinances as may be necessary for the peace, order and good government of Our subjects and others therein, and it also further enacted, that the Lieutenant-Governor shall administer the government under instructions given him from time to time by Order in Council.

And Whereas for the purpose of preparing for the transfer of the North-West Territories aforesaid to the Government of Canada, at the time which may be appointed by Us for such admission, and for making some temporary provision for the Civil Government of such Territories, We are desirous of appointing you, the said William McDougall, to be *Lieutenant-Governor of the North-West Territories.*

Now know ye that We, reposing special trust and confidence in the prudence, courage, loyalty and integrity of you, the said William McDougall, of our especial grace, certain knowledge and mere motion, have thought fit to constitute and appoint you, on, from and after the day to be named by Us for the admission of Rupert's Land and the North-Western Territory into the Union or Dominion of Canada, to be, during Our pleasure, Lieutenant-Governor of the North-West Territories aforesaid, and We do hereby authorize and empower, and require and command you, on, from and after the day to be so named by Us for the admission of Rupert's Land and the North-Western Territory into the Union or Dominion of Canada as aforesaid, in due manner, to do and execute, in all things that shall belong to your said command, and the trust We have reposed in you, according to the several provisions and instructions, granted or appointed you by this Our Commission, and of the Act hereinbefore recited, according to such instructions as are herewith given to you, or which may from time to time be given to you in respect of the North-West Territories aforesaid, and the government thereof, by order of Our Governor-General in Council, under the sign manual of Our said Governor-General, or by Us through one of Our Privy Council of Canada, and according to such laws as are or shall be enforced within the North-West Territories.

In testimony whereof We have caused these Our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed: Witness, Our trusty and well-beloved the Right Honorable Sir John Young, Baronet, one of Our Most Honorable Privy Council. Knight Grand Cross of Our Most Honorable Order of the Bath, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Governor-General of Canada.

At Our Government House, in Our City of Ottawa, this Twenty-ninth day of September, in the year of Our Lord one thousand eight hundred and sixty-nine, and the thirty-third year of Our Reign.

By Command,

HECTOR L. LANGEVIN,

Secretary of State.

No. 5.

PROCLAMATION ISSUED BY HON. WM. McDOUGALL ON 1ST DECEMBER, 1869.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, etc., etc., etc.

WILLIAM McDOUGALL.

To all whom it may concern, GREETING :

PROCLAMATION.

WHEREAS, by "The British North America Act, 1867," it was (amongst other things) enacted, that it should be lawful for Her Majesty, by and with the advice of Her Majesty's Most Honorable Privy Council, on Address from the Houses of Parliament of Canada, to admit Rupert's Land and the North-Western Territory, or either of them, into the Union or Dominion of Canada, on such terms and conditions as are in the Address expressed, and as Her Majesty thinks fit to approve ;

And, whereas, for the purpose of carrying into effect the said provisions of "The British North America Act, 1867," "The Rupert's Land Act, 1868," enacted and declared that it should be competent for "the Governor and Company of Adventurers of England, trading into Hudson's Bay," to surrender to Her Majesty, and for Her Majesty, by any instrument under Her sign manual and signet, to accept a surrender of all or any of the lands, territories, powers, and authorities, whatsoever, granted, or purported to be granted, by certain Letters Patent of His late Majesty King Charles the Second, to the said Governor and Company within Rupert's Land, upon such terms and conditions as should be agreed upon, by and between Her Majesty and the said Governor and Company : And whereas, by "The Rupert's Land Act, 1868," it is further enacted, that from the date of the admission of Rupert's Land into the Dominion of Canada, as aforesaid, it shall be lawful for the Parliament of Canada to

make, ordain, and establish, within the said land and territory so admitted, as aforesaid, all such laws, institutions and ordinances, and to constitute such courts, and officers as may be necessary for the peace, order and good government of Her Majesty's subjects, and others therein ;

And whereas, it is further provided by the said Act, that until otherwise enacted by the said Parliament of Canada, all the powers, authorities, and jurisdiction of the several courts of justice now established in Rupert's Land, and of the several officers thereof, and of all magistrates and justices, now acting within the said limits, shall continue in full force and effect therein ; And whereas, the said Governor and Company have surrendered to Her Majesty, and Her Majesty has accepted a surrender of all the lands, territories, privileges, liberties, franchises, powers and authorities granted, or purported to be granted, by the said Letters Patent, upon certain terms and conditions agreed upon by and between Her Majesty and the said Governor and Company ;

And whereas, Her Majesty, by and with the advice of Her Majesty's Most Honorable Privy Council, and an Address from both the Houses of the Parliament of Canada, in pursuance of the one hundred and forty-sixth section of "The British North America Act, 1867," hath declared that Rupert's Land and the North-Western Territory, shall, and from the first day of December, in the year of our Lord one thousand eight hundred and sixty-nine, be admitted into, and become part of the Dominion of Canada, upon the terms and conditions expressed in the said Address, of which Her Majesty has approved, and Rupert's Land, and the said North-Western Territory, are admitted into the Union, and have become part of the Dominion of Canada accordingly :

And whereas, the Parliament of Canada, by an Act intituled "An Act for the temporary Government of Rupert's Land and the North-Western Territory, when united with Canada," enacted that it should be lawful for the Governor, by any order or orders, to be by him, from time to time, made with the advice of the Privy Council (and subject to such conditions and restrictions as to him should seem meet), to authorize and empower such officer as he may, from time to time, appoint, as Lieutenant-Governor of the North-West Territories, to make provision for the administration of justice therein, and generally to make, ordain and establish all such laws, and institutions, and ordinances as may be necessary for the peace, order and good government of Her Majesty's subjects, and others therein. Now know ye, that we have seen fit, by our Royal Letters Patent, bearing date the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and sixty-nine, to appoint the Honorable William McDougall, of the City of Ottawa, in the Province of Ontario, in our Dominion of Canada, and member of Privy Council for Canada, and Companion of Our Most Honorable Order of the Bath, as,

from, and after the day to be named by us, for the admission of Rupert's Land and the North-Western Territory, aforesaid, into the Union or Dominion of Canada, to wit ; or from and after the first day of December, in the year of our Lord one thousand eight hundred and sixty-nine, to be, during our pleasure, the Lieutenant-Governor of the North-West Territories ;

And we do hereby authorize, and empower and require and command him, in due manner, to Do and Execute, in all things that shall belong to his said command, and the Trust we have reposed in him, according to the several provisions and instructions granted or appointed him, by virtue of our said Commission, and the Act of the Parliament of Canada herein before recited, and according to such instructions as have been, or may, from time to time, be given to him, and to such laws as are or shall be enforced within the North-West Territories. Of all which our Loving Subjects of our Territories, and all others, whom these Presents may concern, are hereby required to take notice, and govern themselves accordingly.

In Testimony Whereof, we have caused these, Our Letters, to be made Patent, and the Great Seal of our North-West Territories to be hereunto affixed : Witness Our Trusty and Well Beloved, The Honorable William McDougall, Member of our Privy Council for Canada, and Companion of Our Most Honorable Order of the Bath, Lieutenant-Governor of our North-West Territories, etc., etc., etc. At the Red River, in our aforesaid North-West Territories, this first day of December, in the year of our Lord one thousand eight hundred and sixty-nine, and in the thirty-third year of Our Reign.

By command,

J. A. N. PROVENCHER,

Secretary.

No. 6.

COMMISSION APPOINTING COL. DENNIS CONSERVATOR OF THE PEACE.

THE NORTH-WEST TERRITORIES.

BY His Excellency the Hon. William McDougall, a Member of Her Majesty's Privy Council for Canada, and Companion of the Most Honorable Order of the Bath, Lieutenant-Governor of the North-West Territories.

To John Stoughton Dennis, Esq., Lieutenant-Colonel, Military Staff, Canada. GREETING :

WHEREAS, large bodies of armed men have been unlawfully assembled on the high road, between Fort Garry and Pembina, in the Colony or

District of Assiniboine, and have, with force and arms, arrested, and held as prisoners, numerous private and official persons, and preventing them from proceeding on their lawful journey and business, and have committed other acts of lawless violence, in contempt and defiance of the magistrates and local authorities ;

And, whereas, William Mactavish, Esq., Governor of Assiniboine, did, on the sixteenth day of November last, publish and make known to these armed men, and all others whom it might concern, that the lawless acts aforesaid, and which were particularly set forth in his Proclamation, were "contrary to the remonstrances and protests of the public authorities," and did therein protest against each and all of the said unlawful acts and intents, and charged and commanded the said armed persons to immediately disperse themselves, and peaceably to depart to their habitations or lawful business, under the pains and penalties of the law ;

And, whereas, since the issue of the said protest or Proclamation, certain of the armed men aforesaid, have taken possession of the public records and papers at Fort Garry, and have seized and held as prisoners the public officers, or persons having charge of the same, and, as I am creditably informed, still keep unlawful possession of the said records and public property, and with force and arms continue to obstruct public officers, and others, in the performance of their lawful duty and business, to the great terror, loss, and injury of Her Majesty's peaceful subjects, and in contempt of Her Royal authority ;

And, whereas, Her Majesty, by Letters Patent, under the Great Seal of the Dominion of Canada, bearing date the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and sixty-nine, has been graciously pleased to appoint me to be, from and after the first day of December instant, Lieutenant-Governor of the North-West Territories, and did authorize and command me to do and execute all things in due manner that should belong to my said command.

Know you, that reposing trust and confidence in your courage, loyalty, fidelity, discretion and ability, and under, and in virtue of the authority in me vested, I have nominated and appointed, and, by these presents, do nominate and appoint you, the said John Stoughton Dennis, to be my Lieutenant, and a Conservator of the Peace in and for the North-West Territories, and do hereby authorize and empower you as such to raise, organize, arm, equip, and provision a sufficient force within the said Territories, and, with the said force, to attack, arrest, disarm, or disperse the said armed men, so unlawfully assembled and disturbing the public peace ; and for that purpose, and with the force aforesaid, to assault, fire upon, pull down, or break into any fort, house, stronghold, or other place in which the said armed men may be found ; and, I hereby authorize you, as such Lieutenant and Conservator of the Peace, to hire, purchase, im-

press, and take all necessary clothing, arms, ammunition, and supplies, and all cattle, horses, wagons, sleighs, or other vehicles, which may be required for the use of the force to be raised as aforesaid ; and I further authorize you to appoint as many officers and deputies under you, and to give them such orders and instructions, from time to time, as may be found necessary for the due performance of the services herein required of you, reporting to me the said appointments and orders, as you shall find opportunity, for confirmation or otherwise ; and I hereby give you full power and authority to call upon all magistrates and peace officers to aid and assist you, and to order all or any of the inhabitants of the North-West Territories, in the name of Her Majesty the Queen, to support and assist you in protecting the lives and properties of Her Majesty's loyal subjects, and in preserving the public peace, and, for that purpose, to seize, disperse, or overcome by force, the said armed men, and all others who may be found aiding or abetting them in their unlawful acts.

And the said persons so called upon in Her Majesty's name, are hereby ordered and enjoined, at their peril, to obey your orders and directions in that behalf ; and this shall be sufficient warrant for what you or they do in the premises, so long as this Commission remains in force.

Given under my hand and seal at arms, at Red River, in the said Territories, this the first day of December, in the year of our Lord one thousand eight hundred and sixty-nine, in the thirty-third year of Her Reign.

By Command,

WILLIAM McDOUGALL.

J. A. N. PROVENCHER.

Secretary.

No. 7.

PROCLAMATION ISSUED BY HON. WM. McDOUGALL ON 2ND DECEMBER, 1869.

THE NORTH-WEST TERRITORIES.

PROCLAMATION.

By His Excellency the Honorable William McDougall, a member of Her Majesty's Privy Council of Canada, and Companion of the Most Honorable Order of the Bath, Lieutenant-Governor of the North-West Territories, etc., etc., etc.

To a'l to whom these presents shall come. GREETING :

WHEREAS, Her Majesty the Queen, by Letters Patent under the Great Seal of the Dominion of Canada, bearing date the twenty-ninth day of

September, in the year of our Lord one thousand eight hundred and sixty-nine, in the thirty-third year of Her Majesty's reign, has been graciously pleased to constitute and appoint me on from and after the day to be named by Her Majesty for the admission of Rupert's Land and the North-West Territory into the Union or Dominion of Canada, to be Lieutenant-Governor in and over the North-West Territories during Her Majesty's pleasure, and did thereby authorize and empower and require and command me, on, from and after the day aforesaid, to do and execute all things in due manner that shall belong to my said command, and the trust reposed in me, according to the several powers and instructions granted or appointed me by that Her Majesty's Commission, and of the Act of Parliament passed in the thirty-second year of Her Majesty's reign, intituled "An Act for the Temporary Government of Rupert's Land, and the North-Western Territories, when united with Canada," and the instructions given me with such Commission, or by such further instructions as may hereafter be given me in respect of the North-West Territories, and the Government thereof, by Her Majesty's Governor-General in Council under his sign manual, or through one of Her Majesty's Privy Council of Canada, and according to such laws as are now and shall hereafter be in force in the said North-West Territories; and whereas Her Majesty has declared and named the first day of December instant as the day for the admission of Rupert's Land and the North-West Territory into the Union and Dominion of Canada; And whereas by virtue and in pursuance of "The British North America Act 1867," "The Rupert's Land Act 1868, the said 'Act for the Temporary Government of Rupert's Land and the North-Western Territory when united with Canada,' and the said Declaration and Order of Her Majesty, Rupert's Land and the North-West Territory have been admitted into union with, and have become, and are now part of the Dominion of Canada, and are henceforth to be styled and known as "The North West Territories "

Now Know Ye that I have thought fit to issue this Proclamation to make known Her Majesty's said appointment to all Officers, Magistrates, Subjects of Her Majesty's and others within the said "The North-West Territories," and I do hereby require and command that all and singular, the public officers and functionaries holding office in Rupert's Land, and the North-Western Territory at the time of their admission into the Union as aforesaid, excepting the public officer or functionary at the head of the Administration of affairs, do continue in the execution of their several and respective offices, duties, places, and employments, until otherwise ordered by me under the authority of the said last mentioned Act; And I do hereby further require and command that all Her Majesty's loving subjects, and all others whom it may concern, do take notice and govern themselves accordingly.

Given under my hand and Seal-at-Arms at Red River in the said Territories, this second day of December, in the year of our Lord one thousand eight hundred and sixty-nine, and in the Thirty-third year of Her Majesty's Reign.

By Command,

WM. McDOUGALL.

J. A. N. PROVENCHER,

Secretary.

No. 8.

PROCLAMATION OF SIR JOHN YOUNG, GOVERNOR-GENERAL OF CANADA,
ON 6TH DECEMBER, 1869.

PROCLAMATION.

By His Excellency the Right Honorable Sir John Young, Baronet, a Member of Her Majesty's Most Honorable Privy Council, Knight Grand Cross of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor-General of Canada.

To all and every the Loyal Subjects of Her Majesty the Queen, and to all to whom these Presents may come, GREETING :

The Queen has charged me, as Her Representative, to inform you that certain misguided persons in Her Settlement on the Red River, have banded themselves together to oppose by force the entry into Her North-Western Territories of the officer selected to administer, in Her name, the Government, when the Territories are united to the Dominion of Canada, under the authority of the late Act of the Parliament of the United Kingdom ; and that those parties have also forcibly, and with violence, prevented others of Her loyal subjects from ingress into the country.

Her Majesty feels assured that she may rely upon the loyalty of Her subjects in the North-West, and believes those men, who have thus illegally joined together, have done so from some misrepresentation.

The Queen is convinced that, in sanctioning the Union of the North-West Territories with Canada, she is promoting the best interests of the residents, and at the same time strengthening and consolidating Her North American possessions as part of the British Empire. You may judge then of the sorrow and displeasure with which the Queen reviews the unreasonable and lawless proceedings which have occurred.

Her Majesty commands me to state to you that she will always be ready, through me as Her representative, to redress all well-founded

grievances, and that she has instructed me to hear and consider any complaints that may be made, or desires that may be expressed to me as Governor-General. At the same time she has charged me to exercise all the powers and authority with which she has trusted me in the support of order, and the suppression of unlawful disturbances.

By Her Majesty's authority, I do therefore assure you, that on the union with Canada all your civil and religious rights and privileges will be respected, your properties secured to you, and that your country will be governed, as in the past, under British laws, and in the spirit of British justice.

I do, further, under Her authority, entreat and command those of you who are still assembled and banded together in defiance of law, peaceably to disperse and return to your homes, under the penalties of the law in case of disobedience.

And I do lastly inform you, that in case of your immediate and peaceable obedience and dispersion I shall order that no legal proceedings be taken against any parties implicated in these unfortunate breaches of the law.

Given under my Hand and Seal at Arms at Ottawa, this Sixth day of December, in the year of Our Lord One Thousand Eight Hundred and Sixty-nine, and in the Thirty-third year of Her Majesty's Reign.

(Seal.)

By Command,
JOHN YOUNG.

H. R. LANGEVIN,
Secretary of State.

No. 9.

COMMISSION ISSUED TO DONALD A. SMITH, Esq., APPOINTING HIM SPECIAL
COMMISSIONER.
CANADA.

VICTORIA, by the Grace of God, etc.
To Donald A. Smith, of the City of Montreal, in the Province of Quebec,
and Dominion of Canada, Esquire, and to all others to whom the
same may in any wise concern, GREETING :

Whereas, by an Act of the Parliament of Canada, passed in the thirty-second and thirty-third years of Our Reign, intituled, "An Act for the temporary Government of Rupert's Land and the North-West Territory, when united to Canada," it is recited that it is possible that we may be

pleased to admit Rupert's Land and the North-West Territory into the Union of the Dominion of Canada, before the then next session of the Canadian Parliament, and that it is expedient to prepare for the transfer of the said Territories from the Local Authorities to the Government of Canada, at the time appointed by us for the Civil Government of such Territories, until more permanent arrangements can be made by the Government and Legislature of Canada, and it is by the said Act in effect enacted that our Governor may authorize and empower such officer as he may appoint as Lieutenant-Governor of the North-West Territories, and who shall administer the Government as by the said Act contemplated.

And, whereas, in the preparation for the transfer of the said Territories, Our Governor of Canada was pleased to send the Honorable Wm. McDougall, the gentleman selected to be the Lieutenant-Governor as aforesaid, on its union with Canada, in advance and in anticipation of the union, and his entry into the said Territories was obstructed and prevented by certain armed parties who have declared their discontent and dissatisfaction at the proposed union, and their intention to resist the same by force.

And, whereas, it is expedient that enquiry should be had into the causes and extent of such obstruction, opposition, and discontent, as aforesaid.

Now know ye, that having confidence in your honesty, fidelity, and integrity, we do, by these presents, nominate, constitute and appoint you, the said Donald A. Smith, to be our Special Commissioner, to enquire into the causes, nature, and extent of the obstruction offered at the Red River, in the North-West Territories, to the peaceable ingress of the Honorable Wm. McDougall, and other parties authorized by our Governor-General of Canada to proceed into the same ; and also to enquire into the causes and discontent and dissatisfaction alleged to exist in respect to the proposed union of the said North-West Territories with the Dominion of Canada ; and further to explain to the inhabitants of the said country, the principles on which the Government of Canada intends to administer the Government of the Country, according to such instructions as may be given to you by our Governor in Council in this behalf ; and to take steps to remove any misapprehensions which may exist in respect to the mode of Government of the same, and to report to our Governor-General the result of such enquiries, and on the best mode of quieting and removing such discontent and dissatisfaction ; and also to report on the most proper and fitting mode for effecting the speedy transfer of the Country and Government from the authority of the Hudson's Bay Company to the Government of Canada, with the general assent of the inhabitants.

And further, to consider and report on the most advisable mode of dealing with the Indian Tribes in the North-West Territories.

To have and to hold the said office of Commissioner, for the purposes aforesaid unto you the said Donald A. Smith, during pleasure.

In testimony whereof, etc.

(GREAT SEAL.)

NOTE.—The above Commission was not sent to Mr. Donald A. Smith until the 26th January, 1870, although it was given under the Great Seal on the 17th December. Commissioner Smith, however, acted on the letter of the 10th December, which was in fact a commission giving him the fullest authority to act according to the best of his judgment in dealing with the troubles at Red River.

No. 10.

LAWS OF ASSINIBOIA, PASSED BY THE PRESIDENT AND LEGISLATIVE ASSEMBLY OF ASSINIBOIA ON THE 7TH DAY OF MAY, 1870.

(Second Session of the Legislature.)

(These laws come into operation on the 20th day of May, 1870: until which time the laws under which the country has hitherto been governed remain in full force. On and after the 20th day of May, 1870, all the old laws are repealed.)

NOTE.—The following is merely a synopsis of the enactments passed, the details relating to which would occupy more space than can be spared:—

GENERAL PROVISIONS.

1. All fines and forfeitures when not otherwise appropriated shall go to the Public Fund.
2. Every enactment shall be interpreted without regard to the distinction of gender or number.
3. If any person encourage in any way any violation of any local enactment, he shall be held to be as guilty as the principal offender.
4. That unless special regulation provide to the contrary, every wrong has its remedy under the general law of the country.
5. That the law of England shall be the law of the land in relation to crimes and misdemeanors and generally as to all civil rights except where modified by the local law.

ADMINISTRATION OF JUSTICE.

1. That the Supreme Court of Assiniboua be held four times a year, February, May, August and November.

2. District Courts shall be held at such times and places as follows : Manitoba, March, September, December and June ; Portage la Prairie, 1st Tuesday each month ; White Horse Plain, 2nd Tuesday each month ; Fort Garry, 4th Tuesday each month ; St. Andrews, 3rd Tuesday each month.

3. The chairman of a District Court shall be a Justice of the Peace—the chairman and two magistrates to form a quorum.

4. The District Court shall take cognizance of all actions for not more than ten pounds, all offences with fines of not more than two pounds, and all liquor cases.

5. An appeal may be taken from the District to the Supreme Court.

6. District Court cases shall be tried in the district in which defendant resides.

7. Any District Magistrate shall issue summons for his own district. but not for any other, unless countersigned by the Magistrate where summons is to take effect.

8. District Court cases must not be brought before General Court.

9. In any Court, either party to a civil action may be made the other's witness.

10. Regulated the fees to be charged for writs issued in the Supreme and District Courts.

11. Witnesses and jurors to be paid five shillings per day.

12. In Supreme Court cases, a deposit of one pound from plaintiff necessary.

13. Allowances for feeding prisoners, and in cases of debt, the creditor to be responsible for same.

14. Fifteen days' notice in Supreme Court cases, and eight in the District Court.

15. Trial by jury in Supreme Court, except where both parties desire otherwise.

16. The Legislative Assembly to issue licenses to practise law and regulating fees.

17. Regulating seizure and sale of goods and chattels on judgment.

18. The right of *capias*.

19. In case of *capias*, the complainant, if afterwards found to have no ground for action, to be liable for damages.

20. Regulating seizure of the property of an absconding debtor.

21. Summonses for the General Court to be issued only by Justices of the Peace.

22. Magistrates and Justices of the Peace to have summary power in deciding cases not over three pounds, or damages of one pound.

23. No action for the recovery of debt to be brought before the August term of Supreme Court.

24. No judicial officer having any interest in a case to be able to sit upon it.

25. Empowering the Coroner or any Justice of the Peace to execute judgment on the Sheriff.

26. Any debt or crime incurred or committed outside jurisdiction of court, to be prosecuted when person is found within limits of jurisdiction.

27. Justices of the Peace, Magistrates and Constables, must be British subjects.

28. Summons not to be served on Sundays or legal holidays.

29. The Supreme Court to be composed of a presiding Judge, and three or more Justices of the Peace.

30. The Supreme Court to take cognizance of all cases not assigned to the District Court.

31. Any barrister, advocate, attorney or solicitor qualified to practice law in the United Kingdom or any British Colony to be entitled to practice in the courts of Red River.

32. Providing for Records of the Courts.

CUSTOMS DUTIES.

1. The duty to be 4 per cent ad valorem.

2. Free goods to be—bar iron, steel, books, publications, stationary, scientific instruments, agricultural implements, baggage, &c., for the present use of the owner; seeds, roots, plants, goods passing in bond cases, boxes, barrels, bottles or covering containing goods or fluids, monumental tablets or tombstones, grindstones, stoves, goods for missions, animals for breeding stock, mill and factory machinery.

3. Three custom houses, one each at Pembina, Portage la Prairie and Fort Garry.

4. A Collector of Customs to have power to administer oaths, and to search for and seize contraband goods.

5. Collector to pay the duties collected into the Treasury twice every month.

6. Collectors to be entitled to one fifth part of seizures.

7. Providing for attested invoices or manifests.

8. Collectors to verify accuracy of invoices by oath, if necessary, or examination of goods.

9. Collectors to provide clearance certificates.

10. Providing for want of invoices.

11. Goods without clearance certificate to be seized.

12. The owners or consigners of goods by way of Hudson's Bay to report quantity and prime cost within three months, under penalty of not more than £4,000 sterling.

13. All contraband goods seized to be sold by auction.

14. Two shillings a gallon to be the duty on wines and liquors imported.

CONSTABLES

To be not less than sixteen in number, Manitoba, 1 ; Portage la Prairie, 2 ; White Horse Plains, 3 ; St. Andrews, 3 ; Fort Garry, 5 ; Winnipeg, 2. Provision was then made for the Administration of Intestate Estates.

POSTAL.

General Post Office to be in Winnipeg. Mails to be carried at public expense. Charges for postage :—Letters under half ounce, one penny, and a penny for each additional half ounce. Magazines or Reviews, two pence. Newspapers, half penny, those from office of publication or exchanges to be free. Books, half pound and under, four pence. Local letters, one penny each. Local newspapers to subscribers free. Regulations for advertised letters. Branch offices to be at St. Andrews, Headingly, Portage la Prairie and St. Norbert.

Regulations were then made for the prevention of prairie fires, animals running at large, and for hay cutting privileges.

LIQUOR LAW.

Any person selling or supplying liquor to uncivilized Indians to be fined.

1. Two pounds for furnishing brewing utensils.
2. Three pounds for furnishing malt.
3. Five pounds for furnishing beer or any fermented liquor.
4. One hundred pounds for furnishing distilled spirits or any intoxicating drink other than fermented liquors.

In addition to above, the offender to make restitution to the Indian, and the intoxicated Indian to be imprisoned until he should disclose from whom he procured the liquor, and no person to carry liquor among Indians, unless in transit or for his own use.

5. No person to sell spirits, wine or beer, under five gallons, without a license.

The liquor not to be sold between the hours of 10 p.m., and 6 a.m., nor on Sundays, Good Friday or Christmas Day. It was forbidden to sell to intoxicated persons, and all manufacturing had to be confined to the premises covered by license.

Twelve of the nearest householders, irrespective of District, could by petition, prevent the granting of a license.

Wholesale liquor licenses cost ten pounds each, and were issued by the President of the Fort Garry District Court.

ROADS.

1. That all public roads to remain the width they had been laid out.
2. No person to cut a hole into or through the river ice, unless protecting it by a fence four feet high, on penalty of one pound.

A Commissioner of Public Works to be appointed and held responsible for the state of the roads and bridges.

NOTE.—The laws framed by the Provisional Government, and which came in force on 20th May, 1870, were very much in line with the laws of Assiniboia, under the Hudson's Bay Company.

No. 11.

THE MANITOBA ACT.

ANNO TRICESIMO-TERZIO—VICTORIA REGINA.

An Act to establish and provide for the government of the Province of Manitoba.

WHEREAS, it is probable that Her Majesty the Queen may, pursuant to the British North America Act, 1867, be pleased to admit Rupert's Land and the North-Western Territory into the Union or Dominion of Canada before the next session of the Parliament of Canada. And whereas it is expedient to prepare for the transfer of the said Territories to the Government of Canada at the time appointed by the Queen for such admission. And whereas it is expedient also to provide for the organization of part of the said Territory as a Province, and for the establishment of a Government therefor, and to make provision for the Civil Government of the remaining part of the said Territories not included within the limits of the Province.

Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :

1. On, from and after the day upon which the Queen, by and with the advice and consent of Her Majesty's Most Honorable Privy Council, under the authority of the 146th section of the British North America Act, 1867, shall by order in Council, in that behalf, admit Rupert's Land and the North-Western Territory into the Union or Dominion of Canada, there shall be formed out of the same a Province which shall be one of the Provinces of the Dominion of Canada, and which shall be called the Province of Manitoba, and be bounded as follows, that is to say, commencing at the point where the meridian of ninety-six degrees of west longitude from Greenwich intersects the parallel of forty-nine degrees

north latitude ; thence due west along the said parallel of forty-nine degrees north latitude (which forms a portion of the boundary line between the United States of America and the said North-Western Territory) to the meridian of ninety-nine degrees of west longitude ; then due north along the said meridian of ninety-nine degrees west longitude to the intersection of the same with the parallel of fifty degrees and thirty minutes north latitude ; thence due east along the said parallel of fifty degrees and thirty minutes north latitude to its intersection with the before mentioned meridian of ninety-six degrees west longitude ; thence due south along the said meridian of ninety six degrees west longitude to the place of beginning.

2. On, from and after the said day on which the Order of the Queen in Council shall take effect as aforesaid, the provisions of the British North America Act, 1867, shall, except those parts thereof which are in terms made, or by reasonable intendment may be held, to be specially applicable to, or only to effect, one or more, but not the whole of the Provinces now composing the Dominion, and except so far as the same may be varied by this Act, be applicable to the Province of Manitoba, in the same way, and to the like extent, as they apply to the several Provinces of Canada, and as if the Province of Manitoba had been one of the Provinces originally united by the said Act.

3. The said Province shall be represented in the Senate of Canada by two members until it shall have, according to decennial census, a population of fifty thousand souls ; and from thenceforth it shall be represented therein by three members, until it shall have, according to the decennial census, a population of seventy-five thousand souls, and from thenceforth it shall be represented therein by four members.

4. The said Province shall be represented in the first instance, in the House of Commons, by four members, and for that purpose shall be divided, by proclamation of the Governor-General, into four Electoral Districts, each of which shall be represented by one member : Provided that, on the completion of the census, in the year 1881, and of each decennial census afterwards, the representation of the said Province shall be re-adjusted according to the provisions of the fifty-first section of the British North America Act, 1867.

5. Until the Parliament of Canada otherwise provides, the qualification of voters at elections of members of the House of Commons shall be the same as for the Legislative Assembly hereinafter mentioned ; and no person shall be qualified to be elected, or to sit and vote as a member, for any Electoral District, unless he is a duly qualified voter within the said Province.

6. For the said Province there shall be an officer styled the Lieutenant-

Governor, appointed by the Governor-General in Council, by instrument under the Great Seal of Canada.

7. The Executive Council of the Province shall be composed of such persons, and under such designations, as the Lieutenant-Governor shall from time to time think fit, and in the first instance of not more than five persons.

8. Unless and until the Executive Government of the Province otherwise directs the seat of Government of the same shall be at Fort Garry, or within one mile thereof.

9. There shall be a Legislature for the Province, consisting of the Lieutenant-Governor and of two Houses, styled respectively the Legislative Council of Manitoba, and the Legislative Assembly of Manitoba.

10. The Legislative Council shall in the first instance be composed of seven members, and after the expiration of four years from the time of the first appointment of such seven members, each member of the Legislative Council shall be appointed by the Lieutenant-Governor in the Queen's name by instrument under the Great Seal of Manitoba, and shall hold office for the term of his life unless and until the Legislature of Manitoba otherwise provides under the British North America Act, 1867.

11. The Lieutenant-Governor may from time to time by instrument under the Great Seal appoint a member of the Legislative Council to be Speaker thereof, and may remove him and appoint another in his stead.

12. Until the Legislature of the Province otherwise provides, the presence of a majority of the whole number of the Legislative Council including the Speaker, shall be necessary to constitute a meeting for the exercise of its powers.

13. Questions arising in the Legislative Council shall be decided by a majority of voices, and the Speaker shall in all cases have a vote; and when the voices are equal, the decision shall be deemed to be in the negative.

14. The Legislative Assembly shall be composed of twenty-four members to be elected to represent the electoral divisions into which the said Province may be divided by the Lieutenant-Governor as hereafter mentioned.

15. The presence of a majority of the members of the Legislative Assembly shall be necessary to constitute a meeting of the House for the exercise of its powers, and for that purpose the Speaker shall be reckoned as a member.

16. The Lieutenant Governor shall (within six months of the date of the Order of Her Majesty in Council admitting Rupert's Land and the North-West Territory into the Union) by Proclamation under the Great Seal divide the said Province into twenty-four electoral divisions, due regard being had to existing local divisions and population.

17. Every male person shall be entitled to vote for a member to serve in the Legislative Assembly for any electoral division who is qualified as follows : That is to say if he is

1. Of the full age of twenty-one years, and not subject to any legal incapacity.

2. A Subject of Her Majesty by birth or naturalization.

3. And a *bona fide* householder within the electoral division at the date of the writ of election for the same, and has been a *bona fide* householder for one year next before the said date ; or

4. If being at the full age of twenty-one years, and not subject to any legal incapacity, and a subject of Her Majesty by birth or naturalization, he was at any time within twelve months prior to the passing of this Act, and (though in the interim temporarily absent) is at the time of such election a *bona fide* householder, and was resident within the electoral division at the date of the writ of election for the same.

But this fourth sub-section shall apply only to the first election to be held under this Act for members to serve in the Legislative Assembly aforesaid.

18. For the first election of members to serve in the Legislative Assembly, and until the Legislature of the Province otherwise provides, the Lieutenant-Governor shall cause writs to be issued by such person in such form, and addressed to such returning-officer as he thinks fit ; and for such first election, and until the Legislature of the Province otherwise provides, the Lieutenant-Governor shall by proclamation prescribe and declare the oaths to be taken by voters, the powers and duties of returning and deputy returning-officers, the proceedings to be observed at such election, and the period during which such election may be continued, and such other provisions in respect to such first election, as he may think fit.

19. Every Legislative Assembly shall continue for four years from the date of the return of the writs for returning the same (subject nevertheless to be sooner dissolved by the Lieutenant-Governor) and no longer, and the first session thereof shall be called at such time as the Lieutenant-Governor shall appoint.

20. There shall be a session of the Legislature once at least in every year, so that twelve months shall not intervene between the last sitting of the Legislature in one session, and its first sitting in the next session.

21. The following provisions of the British North America Act, 1867, respecting the House of Commons of Canada, shall extend and apply to the Legislative Assembly, that is to say : Provisions relating to the election of a Speaker originally and on vacancies ; the duties of the Speaker, the absence of the Speaker, and the mode of voting, as if those provisions were here re-enacted, and made applicable in terms to the Legislative Assembly.

22. In and for the Province, the said Legislature may exclusively make laws in relation to education, subject and according to the following provisions :

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools, which any class of persons have by law or practice in the Province at the Union.

2. An appeal shall lie to the Governor-General-in-Council from any Act or decision of the Legislature of the Province, or of any Provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education

3. In case any such Provincial Law, as from time to time seems to the Governor-General-in-Council requisite for the due execution of the provisions of this section is not made ; or in case any decision of the Governor-General-in-Council, or any appeal under this section is not duly executed by the proper Provincial authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor-General-in-Council under this section.

23 Either the English or the French language may be used by any person in the debates of the Houses of the Legislature, and both those languages shall be used in the respective Records and Journals of those Houses, and either of those languages may be used by any person, or in pleading or process, or in issuing from any Court of Canada, established under the British North America Act, 1867, or in or from all or any of the Courts of the Province. The Acts of the Legislature shall be printed and published in both those languages.

24 Inasmuch as that the Province is not in debt, the said Province shall be entitled to be paid, and to receive from the Government of Canada by half-yearly payments in advance, interest at the rate of five per centum per annum, on the sum of four hundred and seventy-two thousand and ninety dollars.

25 The sum of thirty thousand dollars shall be paid yearly by Canada to the Province for the support of its Government and Legislature, and an annual grant in aid of the said Province shall be made, equal to eighty cents per head of the population estimated at seventeen thousand souls, and such grant of eighty cents per head shall be augmented in proportion to the increase of population as may be shown by the census that shall be taken thereof in the year one thousand eight hundred and eighty-one, and by each subsequent decennial census, until its population amounts to four hundred thousand souls, at which amount such grant shall remain thereafter, and such sum shall be in full settlement of all future demands on Canada, and shall be paid half-yearly in advance to the said Province.

26. Canada will assume and defray the charge for the following services :—

1. Salary of the Lieutenant-Governor.
2. Salaries and allowances of the Judges of the Superior and District or County Courts.
3. Charges in respect of the Department of the Customs.
4. Postal Department.
5. Protection of Fisheries.
6. Militia.
7. Geological Survey.
8. The Penitentiary.

9. And such further charges as may be incident to and connected with the services, which, by the British North America Act, 1867, appertain to the General Government, and as are or may be allowed to other Provinces.

27. The Customs' duties, now by law chargeable in Rupert's Land, shall be continued, without increase, for the period of three years from and after the passing of this Act, and the proceeds of such duties shall form part of the Consolidated Revenue Fund of Canada.

28. Such provisions of the Customs' Laws of Canada (other than such as prescribe the rate of duties payable), as may be, from time to time, declared by the Governor-General in Council to apply to the Province of Manitoba, shall be applicable thereto, and in force therein accordingly.

29. Such provisions of the Laws of Canada, respecting the Inland Revenue, including those fixing the amount of duties, as may be, from time to time, declared by the Governor-General in Council applicable to the said Province, shall apply thereto, and be in force therein accordingly.

30. All ungranted or waste lands in the Province shall be, from and after the date of the said transfer, vested in the Crown, and administered by the Government of Canada for the purpose of the Dominion, subject to and except and so far as the same may be affected by the conditions and stipulations contained in the agreement for the surrender of Rupert's Land by the Hudson's Bay Company to Her Majesty.

31. And whereas it is expedient, towards the extinguishment of the Indian Title to the lands in the Province, to appropriate a portion of such ungranted lands to the extent of one million four hundred thousand acres thereof for the benefit of the families of the half-breed residents, it is hereby enacted that under regulations to be from time to time made by the Governor-General in Council, the Lieutenant-Governor shall select such lots or tracts in such parts of the Province as he may deem expedient to the extent aforesaid, and divide the same among the children of the half-breed heads of families residing in the province at the time of

the said transfer to Canada, and the same shall be granted to the said children respectively in such mode and on such conditions as to settlement and otherwise as the Governor-General in Council may from time to time determine.

32. For the quieting of titles and assuring to the settlers in the Province the peaceable possession of the lands now held by them, it is enacted as follows :

1. All grants of land in the freehold made by the Hudson's Bay Company up to the eighth day of March in the year 1869, shall, if required by the owner, be confirmed by grant from the Crown.

2. All grants of estates less than freehold in land made by the Hudson's Bay Company up to the eighth day of March aforesaid, shall, if required by the owner, be converted into an estate in freehold by grant from the Crown.

3. All titles by occupancy with the sanction and under the license and authority of the Hudson's Bay Company, up to the eighth day of March aforesaid, of land in that part of the Province in which the Indian title has been extinguished, shall, if required by the owner, be converted into an estate in freehold by grant from the Crown.

4. All persons in peaceable possession of tracts of land at the time of the said transfer to Canada, in those parts of the Province in which Indian title has not been extinguished, shall have the right of pre-emption of the same on such terms and conditions as may be determined by the Governor-in-Council.

5. The Lieutenant-Governor is hereby authorized, under regulations to be made from time to time by the Governor-General-in Council, to make all such provisions for ascertaining and adjusting on fair and equitable terms the rights of common and rights of cutting hay held and enjoyed by the settlers in the Province, and for the commutation of the same by grants of land from the Crown.

33. The Governor-General-in-Council shall from time to time settle and appoint the mode and form of grants of land from the Crown, and any Order-in-Council for that purpose, when published in the "*Canada Gazette*," shall have the same force and effect as if it were a portion of this Act.

34. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company, as contained in the conditions under which that Company surrendered Rupert's Land to Her Majesty.

35. And with respect to such portion of Rupert's Land and the North-West Territory as is not included in the Province of Manitoba, it is hereby enacted that the Lieutenant-Governor of the said Province shall be appointed by commission under the Great Seal of Canada to be Lieutenant-Governor of the same under the name of the North-West Territories, and subject to the provisions of the act in the next section mentioned.

36. Except as hereinbefore is enacted and provided, the Act of the Parliament of Canada passed in the now last session thereof intituled “An Act for the temporary government of Rupert’s Land and North-Western Territory when united with Canada,” is hereby re-enacted, extended and continued in force until the 1st day of January, 1871, and until the end of the session of Parliament then next succeeding.

NOTE.—A List of Books of Reference, and a Chronological Table of events connected with the History of the North-West, will be found in Volume III.



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